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ABSTRACT

The More Miscellaneous Studies section of the proceedings contains the following 34 papers: "The Louisville Courier-Journal's News Content after Purchase by Gannett" (Hansen and Coulson); "Reflection of Cultural Values in Advertising: A Comparative Analysis of Taiwan and U.S. Advertising" (Zandpour and Qian); "Sex, Violence and Consonance/Diversity: An Analysis of Local TV News Values" (Davie); "Science and Technology: When Do They Become Front Page News?" (Ramsey); "Persons with Disabilities and Mass Media" (Tait); "Effectiveness of Trade Magazine Advertising" (Shu-Fen Li and others); "'What Did You Do during the War, Mother?' Propagandistic Communications in Crisis Situations" (Shachar); "Winners and Losers: Making It in the Magazine Marketplace 1986-90" (David E. Sumner); "The Lanham Act and Copyright" (Harris and Tomlinson); "Significant Silences: Selected Newspaper Coverage of Problems Facing Black Americans" (Martindale); "Trial by Newspaper: The Strange Case of Dr. Karl Muck" (Kagan); "Trends in Daily Newspaper Costs and Revenues 1978-1990" (Stanley and Tharp); "Sexual Harassment of Washington Women Journalists" (McAdams and Beasley); "Through the Eyes of Gender and Hollywood: Conflicting Visions of Isak Dinesen's Africa" (Cooper and Descutner); "Network Commercials Promote Legal Drugs: Outnumber Anti-Drug PSA's 45-to-1" (Fedler and others); "The Effects of the Mood Generated by Television Program in Advertising and Product Evaluation" (Batista and Biocca); "Fifty Years of Disability Coverage in 'The New York Times'" (Clogston); "A Stubborn Faith: The Media and the Amish" (Mason and Nanney); "Market Subordination and Secret Combinations: Scripps Howard Newspapers and the Origin of Joint Operating Agreements" and "A Comparison of Local Editorial Issues in Competitive, Joint Monopoly, and Joint Operating Agreement Newspapers" (Adams); "The Law of Libel and Public Speech in Alabama, Arkansas, Georgia, Mississippi and South Carolina" (Nevious); "Rental of Feature Film on Videocassette: Changes in Industry Structure and Consumer Behavior from the Perspective of the Rental Store" (Prince); "The Founding of IRE and the Practice of Investigative Journalism" (Aucoin); "Should Executions Be Televised?" (Widener and Kim); "Daily Newspaper Readership: Four Types of Local Newspaper Readers Mirror ASNE Findings" (Sylvester and others); "Tunisia's Response to the Advent of European Direct Broadcast Satellite Television" (Adhoum); "A Comparative Study of Journalism and Gender in France" (McMane); "Supreme Court Justice Sandra Day O'Connor's First Amendment Approach to Free Expression" (Goodman); "Romancing the Coffee: New Trends in Contemporary Product Advertising" (Kretchmer and Carveth); "Black Entertainment Television: Seeking Dr. King or Slouching toward Malcolm X?" (Barchak); "Beyond Reason: A Feminist Theory of Ethics for Journalists" (Scott); "Organizational Communication Deficits and Overloads: The Origins of Entropy in the News Room" (Incitti); "We Are the World: Narcissism and Global Solidarity" (Shing-Ling Sarina Chen); and "Using Contract Law to Protect News Sources Who Enter Confidentiality Agreement with Journalists" (Alexander). (NKA)

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More Miscellaneous Studies

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Newspaper Division

THE LOUISVILLE COURIER-JOURNAL'S NEWS CONTENT AFTER PURCHASE BY GANNETT

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THE LOUISVILLE COURIER-JOURNAL'S NEWS CONTENT AFTER PURCHASE BY GANNETT

Even a cursory look at the newspaper industry reveals that during the past couple of decades independently owned and operated dailies have disappeared at a rapid rate. In their place are newspapers owned by media corporations, many of which control dozens of publications and hold interests in television and other major U.S. and international companies. By 1990, U.S. newspaper groups owned 1,233 papers, leaving only 24% of the nation's dailies independently owned.[1]

The independently owned Louisville Courier-Journal was purchased in July 1986 by Gannett, the largest newspaper group in the country. First published in 1868, the newspaper was bought by the Bingham family in 1918. Under the Binghams, it became an influential voice in Kentucky and highly regarded news source earning eight Pulitzer Prizes. When Gannett outbid its competitors for the Courier-Journal, the company signalled that it wanted to gain greater prestige as a news conglomerate and was willing to pay the price necessary to acquire a high quality newspaper.[2]

This study explored the effects of change of ownership on the Courier-Journal's news content. A content-based quality index was used to determine whether Gannett has demonstrated a commitment to high caliber news coverage in Louisville. Absentee control by large newspaper groups may produce pressure for economic returns that preclude investment in quality.

A common thread running throughout the literature on news media ownership is what Denis McQuail calls "organizational purpose."[3] It is important to consider whether the primary motivation of a successful newspaper group is allegiance to its readers or its stockholders. Gannett's corporate policy has been described as twofold: ruthless pursuit of profits corresponding with careful homage to editorial excellence.[4]

This policy is likely in response to internal and external pressures faced by media companies. Internal pressures arise from journalists who want the resources necessary to produce a quality news product which serves the public interest. External pressures often come from investors who seek strong financial performance for the short and long term. There is little question that Gannett will enjoy continued operational success. Under study is the company's commitment to editorial quality with regard to one of its largest and most prestigious recent newspaper acquisitions.

Previous Research

This study examined many of the news content changes that occurred at the previously family-owned Courier-Journal after its acquisition by Gannett. A body of literature focuses on whether group and independent newspaper owners pursue different goals that are reflected in their papers' editorial quality.

Research has shown that group newspapers are more profit oriented than individually owned papers.[5] However, studies that examine the effects of ownership on news content and staff size often have found few or no differences between group and independent newspapers,[6] and some even have indicated that groups can improve the quality of the news product. Group ownership correlated positively with an index of press performance,[7] and a case study suggested that a group's managerial incentives encourage quality journalism.[8] However, a recent national survey found that journalists at independents were more likely to rate their newspapers' commitment to quality news coverage as excellent.[9]

Several content analyses have found few differences in size of news hole based on type of newspaper ownership.[10] But it also has been shown that as the number of newspapers in a group increases, the number of lines of news content decreases.[11] The size of the news hole of a 41,000-circulation Pennsylvania daily reportedly was cut by 10% within five years after purchase by Gannett.[12] These findings support an earlier study's conclusion that group acquisition of newspapers provides readers with no advantages in amount of space devoted to news.[13]

There appears to be a tendency among group papers to rely heavily on their wire features because they are inexpensive and convenient. The result is that member papers may contain greater similarity of news content than papers making greater use of major wire services such as Associated Press and United Press International[14] and supplemental news services such as the News York Times and Los Angeles Times/Washington Post. Although it was recently found that group and independent dailies subscribed to the same number of major and supplemental wire services, groups' increased usage of their own wires was also shown. Further, a significant rise in the use of the Gannett News Service corresponded with a significant decline in the net number of wire services purchased.[15]

A study a decade ago compared the content of 10 randomly selected newspapers owned by Gannett with independents and other group papers. The Gannett newspapers appeared to emphasize soft news content more often and to devote less space to advertising.[16] However, other research found almost no significant differences between group and independent newspapers in such content categories as local news, features and photographs.[17]

A 1991 case study examining the effects that Gannett's purchase of the former Arkansas Gazette had on the paper's news content reported a substantial increase in local coverage accompanied by a reduction in national and international news. In addition, the percentage of the news hole devoted to features nearly doubled, while the increase in graphics use was minimal.[18] Similarly, a Gannett newspaper in Florida dramatically expanded its local news at the expense of its national and international coverage. Although one might expect that this local news emphasis would be characterized by features and other timeless stories, the amount of space devoted to these types of stories actually declined.[19]

A longitudinal analysis of 1,300 dailies between 1979 and 1983 found that papers normally increased their ratio of features to hard news content and reduced the balance between national and international news to local news.[20] However, readers perceive local, national and international news as essential components of their newspaper. Indeed, the amount and type of coverage given to the three types of news provide the basis for evaluating the adequacy of the daily newspaper.[21]

Substantially due to the influence of Gannett's USA Today, the trend toward newspapers' adoption of informational graphics as a means of communicating news has been dramatic and widespread.[22] Today larger dailies such as the Boston Globe and New York Times have more graphics personnel than smaller dailies have reporters.[23] More than half of the newspapers with circulations exceeding 60,000 have been shown to run between six and 10 graphics per day.[24] Other research has found that about three and a half graphics are used on the average front page, including photographs and illustrations.[25] Surveys indicate that readers seem to approve of newspapers' use of illustrations[26] and larger photographs.[27]

Applying concepts from the literature and the quality index described in the methods section, this study analyzed the impact of change of ownership on a highly respected regional newspaper. The following two research questions were posed:

1) What effects did Gannett's acquisition of the independently owned Louisville Courier-Journal have on the paper's news content?

2) Does the news content of the Louisville Courier-Journal demonstrate a commitment by Gannett to editorial quality?

Methods

Forty weekday issues of the Louisville Courier-Journal were analyzed. Half were published during the two years prior to Gannett's purchase of the paper in 1986 and half during the two years following change of ownership. Analysis was not conducted on the paper during the year of the sale: a period of transition providing little clear indication of changes in ownership policy toward news content.

Two months from each of the four years under study were examined. In order to provide a representative cross-section for comparative purposes, the same months were selected on a consecutive quarterly basis: September and December 1984 and 1987 and March and June 1985 and 1988. For each month a composite five-day week was randomly selected. Weekend editions of the Courier-Journal were excluded from the study because they were significantly different in content from issues published on weekdays. For example, it was determined that large amounts of feature material in the Saturday and Sunday papers would unjustifiably distort the results.

A pretest of four issues of the newspaper (two published before and two after change in ownership) was conducted to check the validity of the study's codebook and methodology and to minimize instrument bias and coder error. Discrepancies in the measurement instrument were corrected prior to the actual coding. The study's percentage of coder agreement averaged 90%.

One of the authors spent two weeks at the Courier-Journal in June 1988 studying the content of the newspaper and meeting with management and staff. The daily serves most of Kentucky and 19 southern Indiana counties through six zoned editions. This study examined the morning metro edition.

The quality index applied here is based on a survey of daily newspaper editors who largely agreed on various journalistic attributes that make a newspaper good and attractive.[28] Seven of the qualities considered important were adapted for the present analysis. They were: 1) amount of news content, 2) ratio of news content to advertising, 3) ratio of staff written copy to wire service copy, 4) average length of stories in news sections, 5) ratio of hard news stories to soft news stories, 6) ratio of local news stories to other geographic categories of news coverage and 7) ratio of photographs and graphics to text. Of course, there are other useful quality indicators, such as ratio of news analysis to spot news, which were not included.

Each of the measures used in this study have journalistic validity. The greater the space allocated to news content in relationship to advertising, the greater the potential for exposing readers to the paper's coverage. Support for staff written stories over wire copy indicates a sense of responsibility to the newspaper's readership. Longer stories usually contain more information that more photographs and graphics make easier for readers to comprehend. More hard news stories provide readers a better opportunity to be informed on serious topics. Commitment to local news coverage suggests an awareness of the primary mission of most American newspapers.

Some 6,000 news stories were analyzed. They included hard and soft news written by Courier-Journal staff or received from wire services. Hard news was defined as event or decision-oriented deadline stories on serious subjects such as government, the economy or international affairs. Soft news was defined as timeless human interest articles about people, lifestyles, entertainment or non-controversial community events.

Brevity did not disqualify a piece from inclusion in the overall story count. News roundups and news briefs were considered to be a collection of individual stories with each item treated as a separate article. The rationale was that digests contain purposefully placed and edited stories. In some instances, they allow readers of one edition of the Courier-Journal to read an abbreviated version of a story that may have been written for another edition and would not have appeared otherwise.

Pieces appearing on the editorial and opinion pages were not counted as news stories. Neither were obituaries unless they had individual headlines and were written as separate stories. Vital and sports statistics, weather and stock market listings were not classified as news stories. However, all these items were considered as part of the news hole.

News hole was defined as non-advertising space in the newspaper, excluding the masthead, flag, folios and standing section heads. Advertising included display and classified content but not pre-printed inserts. News and advertising space were measured in square inches based on a six-column format. Mathematical factoring was used to compensate for four-column or five-column pages.

Findings

Most changes in news content under Gannett were highly significant at the $p < .001$ level. However, their significance was substantially diminished or even negated when measured as a percentage of an expanded news hole.

As shown in Figure 1, the average size of the weekday news hole of the Louisville Courier-Journal increased dramatically during the two years following its sale to Gannett. The 29% increase represented a change from an average of 2,493 column inches per issue in 1984-1985 to 3,209 column inches in 1987-1988. Looked at another way, the paper's news hole made up 19 pages prior to change of ownership and 25 pages following it.

By contrast, advertising lineage decreased significantly between 1984 and 1988. As a proportion of the newspaper's total column inches, advertising lineage dropped from 60% in 1984 to 48%

in 1987. But by 1988, space devoted to advertising and the news hole stood at 50% each.

New ownership brought about a 46% increase in the number of news stories carried on weekdays in the Courier-Journal. Prior to the sale, the paper carried an average of 86 news stories per issue compared with 126 afterward. A corresponding finding is the decrease in the average length of the news stories from 15 inches to 12 inches. This change is not surprising given Gannett's well-known penchant for tightly edited stories often packaged together in the form of news digests.

The Courier-Journal contained much more soft news after its acquisition by Gannett. The average number of features more than doubled from 13 to 28 per issue. Further, the average number of column inches devoted to features grew by 62%. At the same time, the average length of feature stories dropped by a third from 21 inches to 14 inches.

The percentage of hard news also increased after the takeover, but to a lesser degree. An average of 63 hard news stories per issue were reported before change of ownership and 86 following it, an increase of 35%. There was a moderate 13% increase in space given to hard news stories. Conversely, their length decreased from 14 inches to 11 inches.

However, when hard news was measured against the increased size of the Courier-Journal's news hole, such coverage actually declined. The percentage of soft news rose by a corresponding amount. Changes in percentages of news content are shown in Figures 2 and 3.

A strong positive correlation (.864) was found between the number of hard news and feature stories reported and the number of column inches devoted to them. In other words, as the number of these stories increased so did the space they received. At the same time, a strong negative correlation (-.788) was shown between the number of hard news stories and their average length. This indicated that as their numbers increased, their average length decreased.

After Gannett bought the Louisville Courier-Journal, the average number of wire service stories jumped a dramatic 76% from 45 stories to 81 stories per issue. Further, the average number of column inches of wire copy increased by more than a third. But only 2% of the wire copy run in the paper was picked up from the Gannett News Service. There was a 27% drop in the average length of wire stories from 13 inches to 9 inches.

By comparison, the average number of staff written stories rose by 30% from 51 stories to 66 stories per issue. The average number of column inches of staff-generated copy increased by 20%, but its average length declined slightly from 17 inches to 16 inches.

When calculated as a percentage of the paper's expanded news hole, the number of wire service stories increased by 8% under group ownership. Staff written stories dropped by 6%. The amount of wire copy increased by only 3% and made up 37% of editorial content compared with a negligible decrease in staff written pieces which represented 54% of the news hole.

A significant positive relationship existed between the number of staff written stories (.911) and the number of column inches given to them. A similar correlation applied to wire service stories (.777) In both instances, an increase in the number of stories reported resulted in more space being devoted to them. However, a strong negative correlation (-.839) was found between the number of wire stories and their average length. This indicated that as they increased in number, they decreased in size.

The average number of local news stories in the Courier-Journal rose by 30% from 39 stories to 51 stories per issue after the acquisition. The average number of column inches of local coverage increased by 26%. But the average length of stories dropped by 6% from 16 inches to 13 inches.

As a percentage of the paper's enlarged news hole, the number of local news stories decreased by 5% compared with a 7% increase in the number of national stories and an insignificant difference in international coverage. Further, space devoted to the three geographic categories of news showed only marginal change in terms of total number of column inches (See Figures 4 and 5).

The newspaper's use of photographs increased by 65% from an average of 21 photos per issue before the acquisition to 35 photos following it. The amount of space allocated to photographs increased by 23% from an average of 250 column inches to 308 column inches. However, the average size of photographs declined by 24% from 12 inches to 9 inches.

The number of informational graphics increased from an average of two per issue to three during the period under study. The average number of column inches devoted to graphics climbed by 9%, and their average size remained virtually unchanged at 7.5 inches. Finally, there was a slight increase in the use of illustrations on the news pages. The average number of column inches given to them rose by 16% per issue, but the average size of each illustration remained at 15 inches.

Discussion and Conclusions

Analysis of the news content of the Louisville Courier-Journal showed a mixed commitment by Gannett to the editorial quality of the former front-line family newspaper. During the two years following its purchase by the giant company, the Courier-Journal substantially increased the size of its news and photo content and decreased the percentage of space devoted to advertising.[29] These results were positively correlated with the content-based measures of news quality applied in this study and conflicted with research that found increases in group size result in decreases in space given to news coverage.[30] However, three of the findings which follow were negatively related to the quality index and consistent with evidence that indicated group acquisition of newspapers does not benefit readers.[31]

First, the average length of news stories dropped markedly as the Courier-Journal adopted Gannett's snappier style which is directed toward a readership heavily dependent on television. This abbreviated coverage, including easy-to-read digests, has come to exemplify so-called headline journalism that is criticized for offering readers capsulated information at a time when issues are increasingly complex and global in nature. The same reasoning holds that readers need more not less information to help them conduct their lives.

Second, hard news coverage declined when calculated as a percentage of the Louisville paper's expanded news hole. The corresponding significant increase in the amount of soft news in the Courier-Journal is not only characteristic of Gannett but of a national trend that contradicts surveys showing readers turn to the newspaper primarily for serious news rather than for entertainment content.[32] Emphasis on feature-oriented reporting appears to reflect a concerted effort by metropolitan dailies to capture a greater share of their readers' free time and to compete more successfully with television and a new generation of entertainment media for a younger, affluent audience.

Third, the growth in the number of wire service stories greatly out paced staff written pieces which decreased as a proportion of the enlarged news hole. This would seem to indicate that the newspaper's editors interpreted Gannett policy as calling for more reliance on the wires. However, in contrast to research showing that group newspapers rely heavily on their own wires,[33] the

Courier-Journal made little use of Gannett News Service stories. The bottom line is that wire copy is much less expensive than staff-originated stories. The danger is that the Courier-Journal's increased dependence on wire copy might adversely affect reporting assignments and the process by which stories are selected for publication. For example, since the newspaper is a monopoly with a largely captive readership, wire use could result in less local reporting.

Although there was a healthy increase in the amount of local news coverage, the space allocated for such reporting was virtually unchanged when measured against the increased size of the news hole. This finding supports the contention that editors have a sense of how much news from various categories ought to appear in their newspapers.[34] Research has shown, however, that readers are more interested in news taking place "in the larger world and the nation" than they are in what is happening in their own communities.[35] Nevertheless, as a percentage of the Courier-Journal's editorial content, national news increased only modestly under Gannett, and the meager attention given to international news was consistent.

The acquisition of one of the nation's most prestigious individually owned dailies by the nation's largest newspaper group offered a unique and valuable research opportunity. This case study provided the first longitudinal analysis of the impact of Gannett's ownership on the news content of the Louisville Courier-Journal. A limitation of the study involved the time frame when the data was collected: two years after the newspaper's change in ownership. Future research could examine content trends under Gannett for a longer period.

NOTES

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3. Denis McQuail, Mass Communication Theory: An Introduction. Beverly Hills: Sage Publications, 1987, p. 103.

4. See Ben H. Bagdikian, The Media Monopoly (Third Edition). Boston: Beacon Press, 1990, pp. 69-89.

5. David Pearce Demers, "Corporate Structure and Emphasis on Profits and Product Quality at U.S. Daily Newspapers," Journalism Quarterly 68:15-26 (Spring/Summer 1991); John C. Busterna, "How Managerial Ownership Affects Profit Maximization in Newspaper Firms," Journalism Quarterly 66:302-307, 358 (Summer 1989).

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17. David Bruce Daugherty, "Group-Owned Newspapers vs. Independently Owned Newspapers: An Analysis of the Differences and Similarities" (unpublished Ph.D. dissertation, University of Texas, 1983).

18. Bruce L. Plopper, "Gannett and the Gazette: Effects of Chain Ownership on General News Content in Arkansas' Oldest Newspaper," Newspaper Research Journal 12:58-71 (Spring 1991).

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29. For a news story strongly based on the results of this study, see Joe Ward, "The Courier-Journal: For Better or Worse, Paper Has Changed Since Gannett Took Charge," The Courier-Journal, July 14, 1991, pp. E1-E2.

30. Litman and Bridges, op. cit.

31. Lacy, op. cit.; Hicks and Featherston, op cit.; Drew and Wilhoit, op. cit.; Grotta, op. cit.

32. Bogart, "How U.S. Newspaper Content is Changing," op. cit.

33. Soloski, op. cit.; Hale, op. cit.

34. Guido H. Stempel III, "Gatekeeping: The Mix of Topics and the Selection of Stories," Journalism Quarterly 62:815 (Winter 1985).

35. Leo Bogart, "The Public's Use and Perception of Newspapers," Public Opinion Quarterly 48:709-719 (Winter 1984-1985).

Total Inches of News Hole by Issue

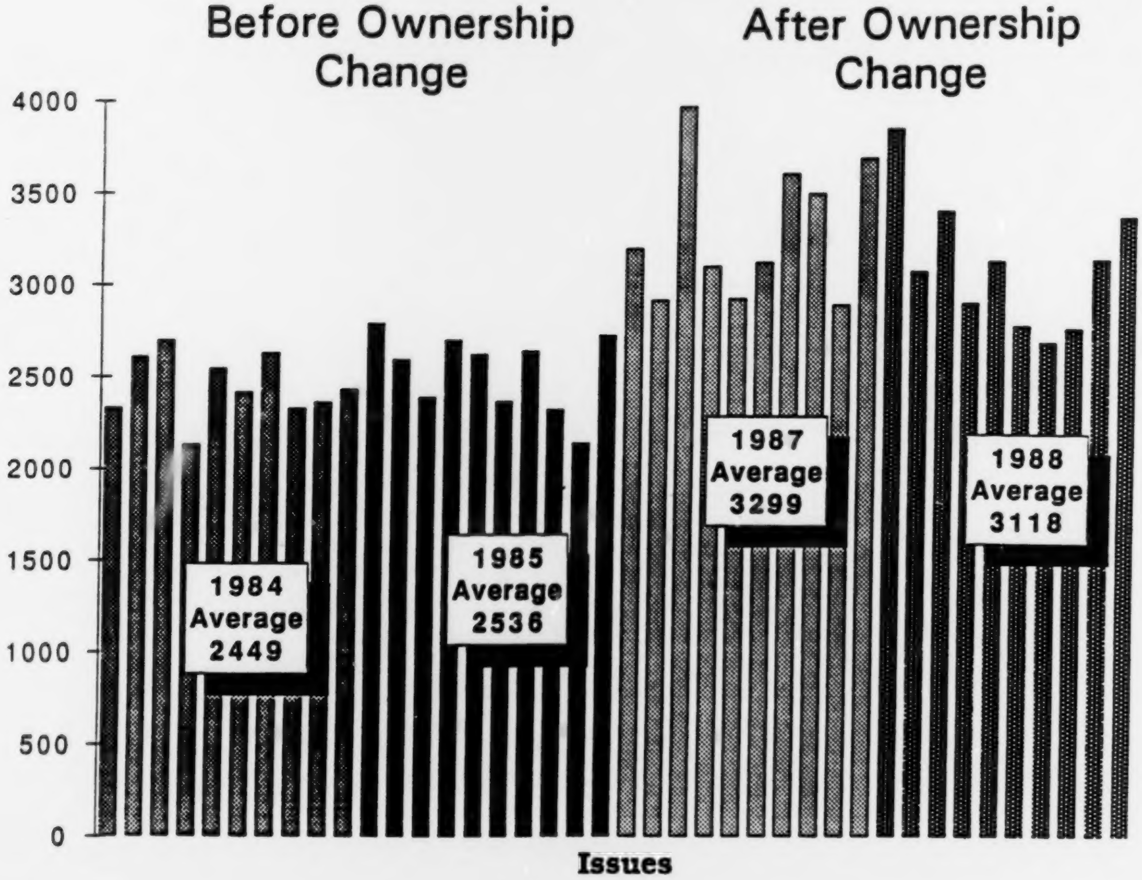

Figure 1

Average Percentage of News Content Before Ownership Change

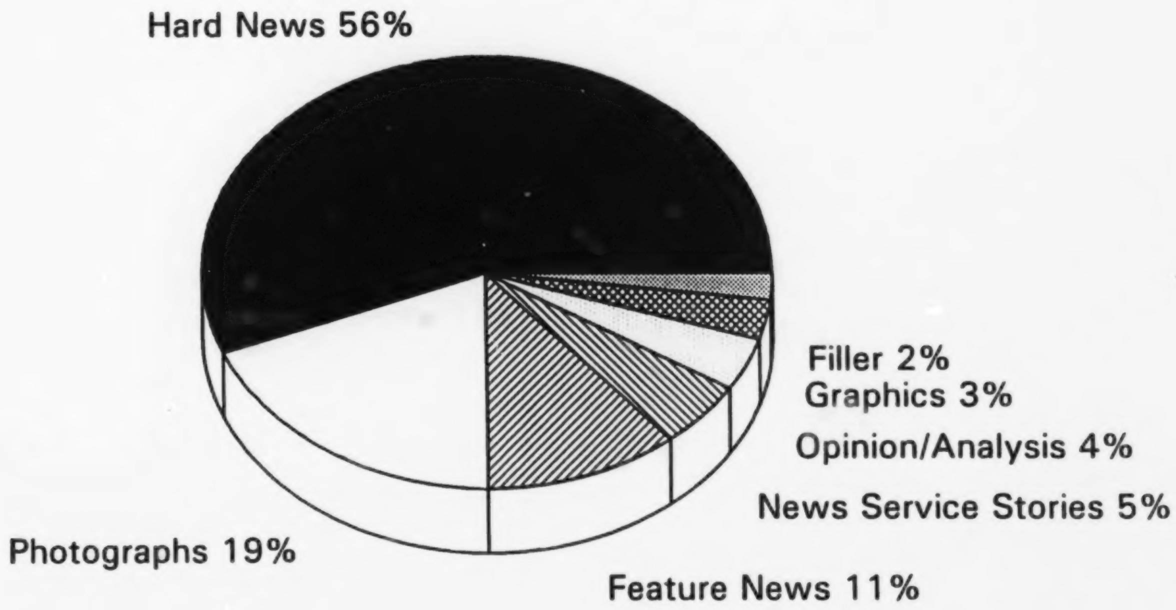

Figure 2

Average Percentage of News Content After Ownership Change

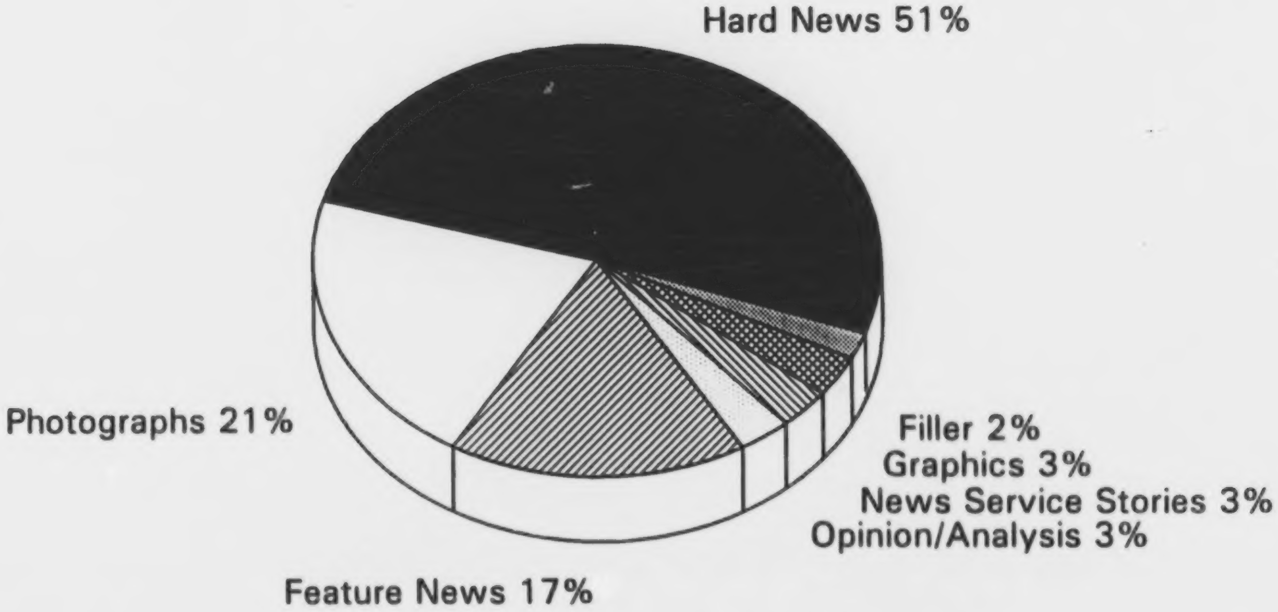

Figure 3

Average Percentage of Geographic Distribution of News Before Ownership Change

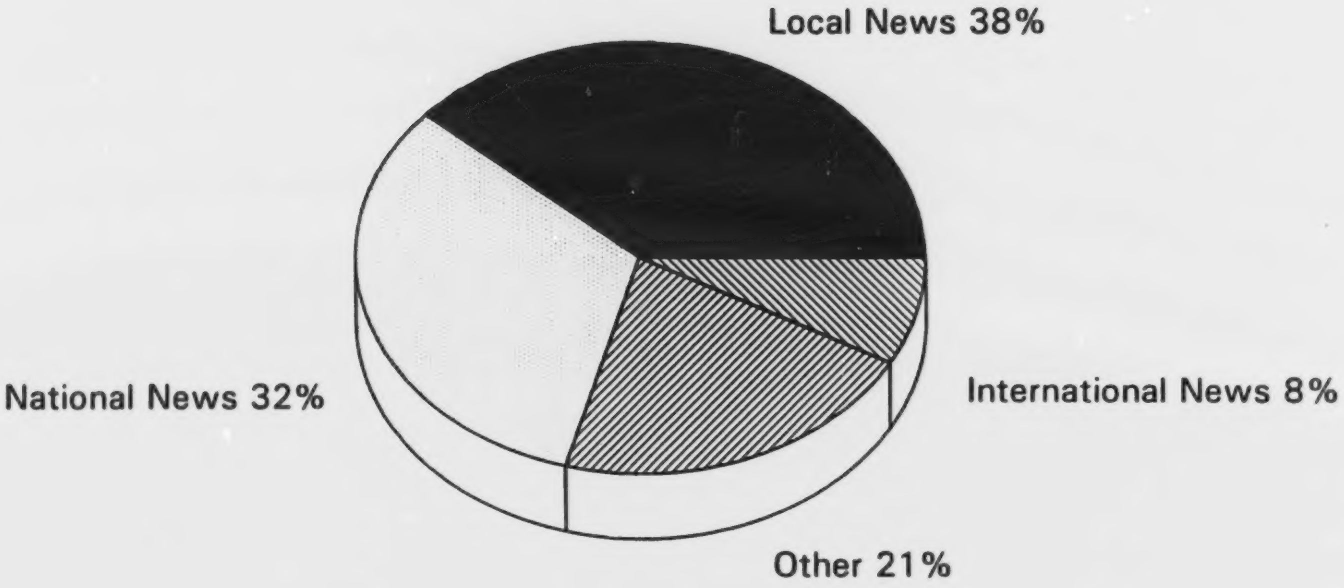

Figure 4

Average Percentage of Geographic Distribution of News After Ownership Change

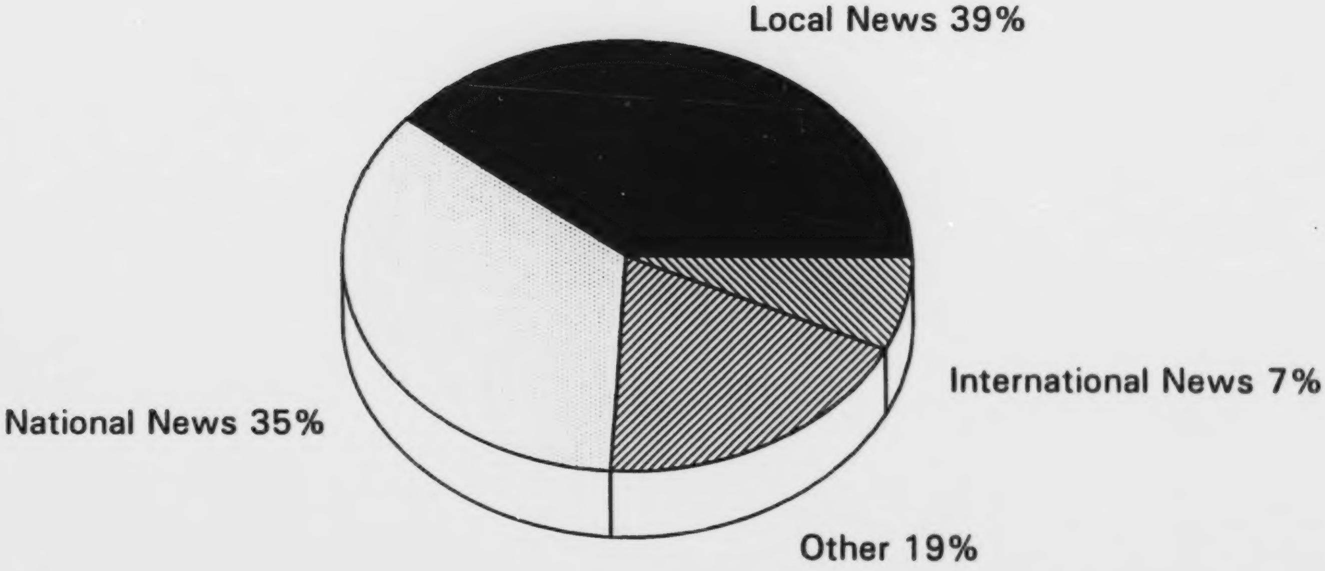

Figure 5

REFLECTION OF CULTURAL VALUES IN ADVERTISING:
A COMPARATIVE ANALYSIS OF TAIWAN AND U.S ADVERTISING

by

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ABSTRACT

Reflection of Cultural Values in Advertising: A Comparative Analysis of U.S. and Taiwanese TV commercials.

This study is based on a content analysis of 412 TV commercials from the U.S. and Taiwan. U.S. advertising tends to employ a direct approach while that of Taiwan tends to be indirect. Taiwanese advertising is more likely to celebrate youth and modernity. Advertising in both countries use a hard-sell approach for promoting furniture, electrical appliances and electronics. Regardless of country, personal care, cosmetics and drugs and; car and car-products are more likely to feature young people and modern lifestyles. Car and car-products are also more likely to be advertised on the basis of status in both countries as cpmpared with other types of appeals.

INTRODUCTION

In order to compete, international marketers are under increasing pressure to communicate their messages effectively to consumers in foreign countries. To succeed, the global advertiser needs to be sensitive to unique communication patterns in each target country. Such patterns often reflect broader linguistic, historical and cultural characteristics of the people of the countries involved.

Systematic cross-national variations in advertising could provide important clues about the kinds of advertising that may be acceptable to consumers in a given country. In pursuit of identifying national patterns of advertising, past research has compared U.S. advertising messages with those of other countries from a number of perspectives. For example, advertising creative strategies between the U.S. and Sweden (Martenson, 1987); China (Rice and Lu, 1988) and; Taiwan and France (Zandpour, Catalano and Chang, 1992) have been compared. In addition, information content of U.S. advertising has been compared with that of Australia (Dowling, 1980); Ecuador (Renforth and Raveed, 1983); French Canada(Johnstone, Kaynak and Sparkman, 1987, the U.K. (Weinberger and Spotts, 1989); Sweden (Martenson, 1987); France and Taiwan (Zandpour, Catalano and Chang, 1992); Japan (Madden, Caballero and Matsukubo, 1986; Hong, Muderrisoglu and Zinkhan, 1987; Maenaka, Miracle and Chang, 1991) and; Japan, Germany and U.S.(Mueller, 1991). Other cross-national comparisons include advertising themes in U.S. and Brazil (Tansey, Hyman and Zinkhan, 1990) as well as advertising forms in U.S., France and Taiwan (Zandpour, Catalano and Chang, 1992).

Cultural values have been suggested to be one of the most important factors in human behavior(Kahle, 1991), in terms of consumer motivation, lifestyle and product choices (Tse, Belk and Zhou, 1989). In addition, they are suggested to be the core of advertising messages (Pollay Gallagher, 1990). The role of cultural values in advertising, despite its importance, has received little attention from cross-national researchers (Frith and Wessen, 1991; Marquez, 1975). For those organizations who depend on international communications, sensitivity to values and lifestyles of people in other countries continues to be a challenging task. This is particularly true about the Eastern nations which are culturally very different from the West, with values, sometimes, in direct conflict with those of the U.S.

For example, individualism (Tocqueville, 1969; Bellah, 1987; Rokeach, 1973; Shiffman and Kanuk, 1978), egalitarianism and disrespect for authority (Shils, 1956; Gorer, 1964), direct speech (Leech, 1966; Rothenberg, 1989; Burli-Storz, 1980) are among the most fundamental values in the United States. By contrast, Chinese core values include group consensus and collectivism (Oh, 1976; Li, 1978; Shenkar and Ronen, 1987; Wagner and Moch, 1986; Triandis et. al, 1988), respect for authority (Bond, et. al., 1987; Meyer, 1988) and tradition (Bond et. al., 1987), respect for parents or filial piety (Thomas, 1990; Bond et. al, 1987), and Status (Bond et. al., 1987).

The objective of the present study is to examine the role of cultural values in U.S. and Taiwanese advertising. While Japan and the People's Republic of China have received some attention in this area, U.S. and Taiwanese advertising have not been compared in terms of cultural values. Taiwan is a significant country from a number of perspectives. First, it shares many traditional Chinese values with other Eastern nations. For example filial piety which is a fundamental Chinese value, in addition to Taiwan (Jordan, 1986), is held important in Hong Kong (Salaff,1981); Malaysia and Singapore (Thomas, 1990).

Second, Taiwan has emerged as a major U.S. trading partner (Hwang, 1991). And like the U.S. and Europe, advertising is an important component of marketing and media in Taiwan.

The evidence regarding the reflection of cultural values in advertising messages, at best, remains sketchy. Benedetto, et. al. (1992) have suggested that, Japanese TV commercials often use an "indirect" rather than " direct form of expression." These authors suggest that Japanese TV commercials sometimes don't even mention the positive attributes of the brand and they often let the audience judge for themselves. Schmidt, Schimura, Wang and Jeong (1990) showed that Korean, Chinese and Japanese television advertising tend to use an indirect language when recommending a product as compared with U.S. advertising that uses a direct language, suggesting a similarity among the Eastern cultures and a contrast with that of the U.S. Zandpour, Catalano and Chang(1992) have shown that advertising in Taiwan is mostly symbolic as compared with U.S. where advertising is more likely to provide the consumer with a sales argument. Similarly, Mueller (1987) suggested that U.S magazine advertising is frequently direct and uses the hard-sell technique, strongly recommending the brand. She suggested that, Japanese advertising, by contrast, tends to be less direct and "soft-sell, emphasizing human emotional sentiments over clear-cut product-related appeals. Mueller (1987) showed that Japanese advertising also tends to convey respect for the elderly and tradition and is more likely to stress status. By contrast, American ads tend to focus on product attributes. Similarly, Belk and Polay (1985) showed that Japanese print advertising is more likely to project status compared with U.S. advertising. Frith and Wesson (1991) showed that British magazine ads tend to illustrate social class differences whereas, U.S. ads are more likely to portray individualism.

The existing evidence in the literature suggests that the advertising of those Eastern countries with closer economic ties with the West, tend to become similar to that of the West. This similarity might be attributed to the influence of Western advertisers, advertising industries of the West or simply that of Western-educated advertising practitioners in those countries. For example, it has been shown that from 1979 to 1985, Taiwanese advertising moved away from traditional Chinese values and became more similar to that of Hong Kong, depicting westernized appeals (Tse, Belk and Zhou,1989). Past research has demonstrated that television commercials in Hong Kong are more likely to emphasize image (Stewart and Campbell, 1988) and hedonistic values such as wealth, pleasures of consumption and easier lifestyles (Tse, Belk and Zhou 1989). In contrast with advertising in the West, TV commercials in the People's Republic of China are more likely to stress utilitarian values such as product quality, performance and components (Tse, Belk and Zhou 1989).

These results, however, must be treated with caution. The above studies often do not use random samples of ads, rarely provide adequate controls for specific product groups and do not always report the results of appropriate statistical tests.

Mueller(1987; 1992) developed 10 advertising appeals (Table 1), reflecting prevalent U.S. and Japanese cultural values. Among others, these appeals include individualism, group consensus, status, respect for the elderly and hard sell.

Although Mueller's (1987) categories generally reflect the core American and Japanese values, they are equally applicable to comparison of Chinese and U.S. advertising. Chinese and Japanese cultures, among others, share religious (Buddhism), cultural (Confucianism) and linguistic (Chinese pictographs) similarities (Belk and Pollay, 1985). Based upon the literature and Mueller's (1987) categories, the following hypotheses are formulated:

H1. Taiwanese TV commercials are more likely to be" soft-sell" as compared with those of the U.S.

H2. U.S. commercials are more likely to be" hard-sell" as compared with those of Taiwan .

H3. "Veneration of the Elderly" is more likely to be conveyed in Taiwan TV commercials as compared with those of the U.S.

H4. "Youth and modernity" is more likely to be conveyed in U.S. TV commercials as compared with those of Taiwan.

H5. Status is more likely to be conveyed in Taiwan TV commercials as compared with those of the U.S.

H6. "Product merit" is more likely to be conveyed in U.S. TV commercials as compared with those of Taiwan.

H7. "Group consensus" is more likely to be conveyed in Taiwan TV commercials as compared with those of the U.S.

H8. Individualism is more likely to be conveyed in U.S. TV commercials as compared with those of Taiwan.

It must be noted that Mueller's (1987) categories consist of ten advertising appeals two of which namely, "oneness with nature" and "manipulation of nature," while tested (see Table 6), have not been included in the hypotheses. Based upon the literature on Chinese and American values, these attributes have not been identified as distinct cultural values of the two countries. The above hypotheses should help isolate specific cultural patterns of advertising in the two countries. These patterns, in turn, may suggest the creative approaches that are more likely to be culturally compatible.

METHODOLOGY

Sample:

The study is based on a content analysis of 412 television commercials from the United States and Taiwan. To ensure the equivalency of the samples, special attention was given to selection of channels, timing, program content and seasonal variations. A systematic random sample of national television network news programs in the two countries was selected. In the U.S.; CBS, NBC and ABC; and in Taiwan; TTV, CTV and CTS were selected. All commercials that were shown during and immediately before and after the "Prime Time" evening news programs were included. All local and duplicate commercials were removed from the final sample. The commercials were videotaped in Los Angeles, and Taipei during the months of February, March, April and May of 1991 (Table 2).

The final sample of commercials consisted of a comprehensive range of product categories normally advertised in each of the countries on television (Table 3).

Coding Instrument

A data coding instrument and code book of definitions for advertising appeals (see Mueller, 1987- Table 1) were prepared. The coding was conducted in the Los Angeles area by five bilingual Chinese and American graduate students. Each coder was trained and supervised extensively. Following Reid, Lane, Wenthe and Smith (1985) coders were instructed to view the commercials one at a time in a private room and to review the coding definitions after seeing each commercial before making their final coding determinations.

The coders were free to repeat viewing to complete the coding. Reliability testing was conducted among each pair of coders who coded 25 commercials independently (Table 4). In each case, the percentage of agreement averaged above 85 percent, which has been suggested to be satisfactory (Kassarjian, 1977).

A coder, after viewing each commercial, based on the underlying advertising appeals (Mueller, 1987) placed it in one or more categories that he/she determined to be present in the message. It must be noted that coders were provided with additional examples for a better illustration of the original definitions.

The Control Variables:

In addition to advertising appeals, each commercial was identified according to the product category that it presented. Stern, Krugman and Resnik's (1981) basic product categories were used. Following Aaker and Norris (1982) drugs, food and beverages were initially listed in separate categories. In addition, a distinction was made, between financial services and other types of services. Later, for the purpose of analysis some of the smaller categories were collapsed (see Table 5). Each commercial was identified on the basis of its country, television network, length of time and whether it was shown only during weekends and holidays.

Except for the commercial length, which was measured in seconds, the other variables were dummy coded. The U.S. was given a value of "1" while Taiwan received a value of "0." For analyses, multiple regression (SPSS) was used.

RESULTS

Generally, our data indicate that the main distinguishing feature of Taiwanese and

U.S. advertising is that of "direct speech." Taiwanese TV commercials are more likely to take a "soft-sell" approach. They tend to convey mood and atmosphere through stories, emphasizing human emotions as opposed to providing specific information related to the product. By contrast, the U.S. commercials are more likely to be "hard-sell" oriented. They tend to emphasize the brand name and product specific advantages with explicit product recommendations. Despite "veneration of the elderly and tradition" being an important value, Taiwanese commercials embrace "youth and modernity," celebrating the Western lifestyles more frequently than U.S. commercials.

The results show a direct relationship between product type and values that are promoted in advertising. Those TV commercials selling furniture, appliances and electronics tend to convey a direct sales message independent of the cultural factors. In addition, TV commercials for personal care, cosmetics, drugs and car and car-products are more likely to feature youth and modernity in both countries. In addition, car and car care products seem to be advertised on the basis of status both in Taiwan and the U.S.

Food and beverage commercials comprise about 25 percent of the sample; personal care, cosmetics and drugs, 19 percent; and, car and car products accounted for 14 percent of the sample. The product categories are somewhat evenly distributed across the two countries. Notable exceptions are more food and beverages advertising (31.2 percent) in Taiwan compared with about 17 percent in the U.S. Table, 4).

The length of commercials in the U.S. ranges from 15 to 60 and in Taiwan from 10 to 60. Almost one-fourth of the Taiwanese and about two-thirds of U.S. commercials are 30 seconds. It appears that 20 second commercials are popular in Taiwan (31 percent) while One-third of the U.S. sample consists of 15 second commercials, almost twice the number in Taiwan.

Soft-sell; hard-sell; youth and modernity and product merits were among the most frequently featured commercial appeals in the sample (see Table, 5). A major distinction between TV commercials of U.S. and Taiwan seems to be "directness" of the message. Taiwanese advertising is more likely to convey mood and atmosphere through stories, emphasizing human emotions as opposed to providing clear-cut information about the product. About 19 percent of Taiwanese commercials used the soft-sell approach as compared with 8.5 percent of U.S. commercials (Chi-square= 8.75, DF=1, p<.01). This pattern persists even when it is controlled for the product categories and length of commercials (Table, 6; Beta=-.21, P<.001), thus confirming our hypothesis 1.

The U.S. commercials are more likely to be hard-sell, they tend to emphasize the brand name and product specific advantages with explicit product recommendations. Although both the Taiwanese (42.2 percent) and U.S. (45.7 percent) commercials utilize the hard-sell technique, once the effects are controlled for the product type and length, the hard-sell approach emerges as a more frequent feature of U.S. commercials (Beta=.11, P<.05), thus confirming our hypothesis 2.

The following examples for juice products in the United States and Taiwan should illustrate the direct versus indirect approaches in advertising of the two countries. The first is a Taihsin tomato juice commercial from Taiwan:

> The commercial opens in a tomato field. A boy is picking up a tomato. The tomato looks very fresh. The next shot shows the boy carries a full basket of tomato, dashing towards his mom and dad who are sitting on the grassland. Fast rhythm music comes up . The boy suddenly falls down and so does the basket. The tomatoes in the basket roll down the slope. Then, the rolling tomatoes become cans of Taihsin Tomato Juice. The brand name appears- Taihsin Tomato Juice. Narrator: " Taihsin Tomato Juice." The boy continues :"enables you to enjoy life." The next scene is a family picnic. Family members are laughing, cheering and

> drinking tomato juice.

The second is a V-8 juice commercial from the U.S., illustrating a hard-sell approach.

> A woman is getting ready for work. She puts a donut into her mouth. Narrator:"You aren't ready to go. That donut is tempting." She pats her forehead and says:"Well, I could have had a V-8." In the next scene, a man is standing by his open refrigerator. Narrator:"You go downstairs for that last piece of pie." The man pats his forehead and says:" Well, I could have had a V-8." In the next scene, a male clerk is sitting in his office. Narrator:"If you are dying for a snack, you reach for those chips." Male clerk:" Well, I could have had a V-8." The next scene shows a female clerk drinking a V-8. Narrator:"The time you think of a V-8 is before you have something else." The next shot shows eight kinds of vegetables turning into a V-8. Narrator:" V-8 is a nutritious blend of eight vegetables. Think. You could have had a V-8."

A surprise finding of this study is that some values tend to be associated with advertising of certain product types regardless of the country. Table (6) shows that TV commercials for furniture, electrical appliances and electronics are more likely to be hard- sell in both countries in relation to other types of appeals (Beta=.11, P<.01). This is in spite of the fact that the two countries hold conflicting cultural values.

The data indicate that, beyond country and product type, directness of a commercial message is also a function of its length. It appears that shorter commercials tend to utilize a hard-sell or direct approach (Beta,- .20, P<.001) as compared with longer commercials which are more likely to employ a soft-sell or indirect approach regardless of the country and product type (Beta=.15 P<.01).

Despite the literature's strong suggestion that "veneration of the elderly and tradition" is an important Chinese value, both Taiwanese and U.S. commercials tend to equally (6 percent) convey this value. This pattern exists after controlling for product type and commercial length, thus rejecting our hypothesis 3.

Surprisingly, Taiwanese commercials embrace youth and modernity more frequently (28.4 percent) than those of the U.S. (11.7 percent; Chi-square = 17.4, DF = 1, P < .001), rejecting our hypothesis 4. In direct conflict with our expectation, Taiwan advertising focuses on modern life and glorification of younger generations. Taiwanese TV commercials tend to relate the advertised products to youthful and contemporary scenes. This pattern persists even when the product type and the length of the commercial are controlled for (Beta = -.19, P < .001).

In addition, depiction of youth and modernity in commercials is a function of product type. TV commercials for food and beverages (Beta = .14, P < .01); personal care, cosmetics and drugs (Beta = .14, p < .01) and; car and car-products (Beta = .10 , P < .05) are more likely to feature youth and modernity across the two countries, supporting the notion of cross-cultural similarities of values in relation to advertising of specific products.

Contrary to our expectations, "status" did not emerge as a distinguishing appeal in advertising of the two countries, rejecting our hypothesis 5. TV commercials in both countries seem to use status to sell car and car care products as compared with other product categories (Beta = .15, P < .01), adding more credence to the notion that reflection of values in advertising may also be a function of product types, in addition to country.

The results show that U.S. TV commercials are more likely to focus on product merits, providing initial support for our hypothesis 6. About one-third of U.S. commercials explicitly presented the product's specific features as compared with about one-fifth of the Taiwanese commercials (Chi-square = 7.7, DF = 1, P < .01). This pattern, however, does not prevail once the effects are controlled for the product type and commercial length, thereby rejecting our hypothesis 6 which had predicted that U.S. TV commercials are more likely to convey product attributes as compared with those of Taiwan.

It is interesting to note that the length of a commercial, independent of the product type and country can predict whether a given TV commercial focuses on product merits (Beta=.15, P<.01), as compared with status and other appeals.

The present study suffers from a number of limitations which affect the generalizability of the results. Although conclusions are based on a random sample of television commercials from the two countries, these commercials were aired before, after or during network news programs. While this sampling frame makes the comparisons more equivalent, it does not provide any direct information about television advertising during programs other than the news. Absence of local commercials in the sample further limits the generalizability of the results to network commercials only.

To provide more conceptual clarity and measurement precision, the notion of advertising appeal will benefit from further testing and refinements.

DISCUSSION

This study sought to identify those cultural patterns that distinguish the U.S. and Taiwan advertising. It examined the TV commercials from both countries, focusing on those core values that have been generally identified to be distinct features of each culture. The results of this study partially supports that advertising reflects the cultural value of a country. The data clearly demonstrate that the advertising of the two countries may be different and similar according to cultural values, specific product categories and even the length of commercials. Direct speech was identified as a cultural dimension along which U.S. and Taiwan advertising are sharply different. U.S. advertising is more likely to reinforce directness while the opposite is true for Taiwan. Taiwan advertising is more likely to use the soft-sell approach, while U.S. advertising is more frequently hard-sell. These findings are in support of the previous research comparing U.S. advertising with that of Asian countries.

In promoting the lifestyles of the West, Taiwanese advertising was shown to convey the theme of youth and modernity more frequently than U.S. advertising. This is in spite of the fact that veneration of the elderly and tradition is established as a central Chinese value, directly in conflict with celebration of the young and the modern. This finding may partially support Tse, Belk and Zhou(1989) who suggested that Taiwan advertising tends to move away from traditional Chinese values and become more similar to that of the West.

Despite the cultural norms in each of the two countries, Taiwanese and U.S. advertising share many similarities. TV commercials in both countries equally show respect for the elderly and tradition as well as status. These similarities become somewhat more pronounced in the advertising for specific products. Advertising for car and car care products focuses on status in both countries. Celebration of the young and the modern in advertising seem to be prescribed by the advertising people in both Taiwan and the U.S. for selling a variety of products such as food and beverages and; car and car care products. When it comes to furniture, appliances and electronics, the two countries set their cultural differences aside and employ a direct approach in advertising. By the same token, when they advertise household and lawn products, the advertising of each country is more likely to be indirect and soft-sell. These findings may suggest that advertisers of the above products in both countries consider their potential consumers to be similar.

In addition to country and product types, the study demonstrated that advertising appeal may be a function of the limitation of the message itself. Longer commercials are more frequently soft-sell and can elaborate on product attributes, while shorter commercials need to be direct and to the point. This may be due to the fact that in the absence of time, shorter commercials must get to the point more quickly and succinctly, without having the luxury of building a story around the product, unlike the longer TV commercials.

In summary, two significant cultural patterns distinguish U.S. and Taiwanese advertising. One is directness of the message which is in line with our hypotheses and the other is projection of youth and modernity which was in the opposite direction of our hypothesis. This study shows that the U.S. and Taiwan are similar in many aspects of their advertising. TV commercials for furniture, electrical appliances and electronics as well as shorter commercials in general are more likely to be hard- sell. Personal care, cosmetics and drugs and; car and car-products are more likely to feature youth and modernity in their advertising in the two countries. Car and car-products seem to be sold on the basis of status in both countries. Longer commercials were more likely to focus on product merits.

The data suggest that culture, product types and even the physical characteristic of the message may be directly associated with depiction of certain values in advertising. The implication for the international advertiser is that his/her decision pertaining to the use of standardized advertising across nations may depend on countries involved, products to be marketed, creative limitations and other situational factors. The results of this study strongly suggest that decisions about utilizing similar advertising campaigns in different countries must only be taken with respect to specific marketing situations. To launch uniform international advertising campaigns without regard for culture, product category or creative limitations may prove not to be a wise decision.

Table 1 The Description OF Advertising Appeals

Group Consensus	The emphasis here is on the individual in relation to others, typically the reference group. The individual is depicted as an integral part of the whole. References may be made to significant others. Pressure is on consensus and conformity to the will of the group.
Soft-Sell	Mood and atmosphere are conveyed through a beautiful scene or the development of an emotional story or verse. Human emotional sentiments are emphasized over clear-cut product-related appeals.
Veneration of Elderly and Tradition	Wisdom of the elderly, as well as the veneration of that which is traditional, is stressed. Older group members are depicted being asked for advice, opinions, and recommendations. Models in such advertisements tend to be older.
Status	Advertisements suggest that the use of a particular product will improve some inherent quality of the user in the eyes of others. Position and rank within the context of the group are stressed. This category also includes foreign status appeals--use of foreign words, phrases, models, and foreign celebrity endorsements.
Oneness with Nature	The goodness and beauty of nature are emphasized in relationship with man. Interaction and affinity of man and nature are stressed. The focus is on back-to-nature themes.
Individual & Independence	Emphasis is on the individual as being distinct and unlike others. Individuals are depicted as standing out in a crowd or having the ability to be self-sufficient. Nonconformity, originality, and uniqueness are key terms. Dependency is down-played.
Hard-Sell	Sales orientation is emphasized here, stressing brand name and product recommendations. Explicit mention may be made of competitive products, sometimes by name, and the product advantage depends on performance. This appeal includes such statements such as "number one" and "leader."
Youth and Modernity	Emphasis is on modernity and deification of the younger generation, often through the depiction of younger models. Stress is on contemporariness and youthful benefits of the products.
Product Merit	Focus is on the product and its characteristics. Some aspect or feature of the product is described in depth. The benefit to the consumer is secondary or implied.
Manipulation of Nature	The theme here is man triumphing over the elements of nature. Man's superiority over nature is reflected as well as an emphasis on technological achievement.

Source: Mueller, Barbara. "Reflections of culture: an analysis of Japanese and American advertising appeals," Journal of Advertising Research, (June/July 1987), pp. 51-59.

Table 2 Channel Selection Schedule

Date		Taiwan	The United State
February	25	TTV	-
March	1	CTV	NBC
	5	-	-
	9	-	ABC
	13	CTV	NBC
	17	CTS	-
	21	-	ABC
	25	CTV	NBC
	29	CTS	-
April	2	-	ABC
	6	-	-
	10	CTS	CBS
	14	TTV	ABC
	18	CTV	NBC
	22	CTS	CBS
	26	TTV	ABC
	30	-	NBC
May	4	-	CBS
	8	-	ABC
	12	-	NBC
	16	-	CBS
	20	-	ABC
	24	-	NBC

Table 3 Product Categories By Country

Product Categories	Total Sample	Country U.S.	Taiwan
Sample Size	412	187	225
	(%)	(%)	(%)
Food-Beverage	25.0	17.1	31.2
Personal Care-Cosmetics	19.0	21.9	16.9
Furniture-Appliance-Electronics	9.5	5.9	12.5
Household-Lawn-Garden	6.8	9.6	4.4
Car-Car Products	14.0	17.6	11.1
Services	11.7	14.9	8.9
Miscellaneous	14.0	12.8	15.1

Table 5 Advertising Appeals By Country

	Country			
Advertising Appeals	Taiwan n=225	U.S. n=187	Total Samples n=412	Chi-Square (df=1)
	(%)	(%)	(%)	
Group Consensus	1.8	3.2	2.4	0.87
Soft-sell	18.7	8.5	14.0	8.75**
Elderly & Tradition	6.2	6.4	6.3	.004
Status	8.9	5.9	7.5	1.36
Oneness with Nature	2.2	5.9	3.9	3.62
Individuality & Indep	2.2	1.1	1.7	0.82
Hard-sell	42.2	45.7	43.8	0.52
Youth & Modernity	28.4	11.7	20.8	17.4***
Product Merit	20.0	31.9	25.4	7.67**
Manipulation of Nat.	0.9	1.6	1.2	0.43

*p<.05; **p<.01; ***p<.001

Table 4 U.S. Intercoder Reliability–Advertising Appeals

	Traditional Appeals				Modern & Westernized Appeals					
Coders	G.Consensus	Eld&Trad	Status	O.Nature	Indv&Indep	H-Sell	Youth&Modernity	P. Merit	M Nature	Overall
	(%)	(%)	(%)	(%)	(%)	(%)	(%)	(%)	(%)	(%)
Chinese&Chinese	100	88	96	92	96	76	96	92	100	92.4
Chinese&American	96	88	92	96	100	80	92	84	100	90.4
American&American	96	84	88	88	96	68	88	88	100	87.6

N=25 (commercials)

Taiwan Intercoder Reliability–Advertising Appeals

	Traditional Appeals				Modern & Westernized Appeals					
Coders	G.Consensus	Eld&Trad	Status	O.Nature	Indv&Indep	H-Sell	Youth&Modernity	P. Merit	M Nature	Overall
	(%)	(%)	(%)	(%)	(%)	(%)	(%)	(%)	(%)	(%)
Chinese&Chinese	96	96	100	100	100	80	72	80	100	91.6
Chinese&Chinese	96	92	88	100	96	68	84	72	100	88
Chinese&Chinese	96	92	88	100	96	72	76	76	100	86.6

N=25 (commercials)

Table 6 Standardized Regression Coefficients Predicting Advertising Appeals by Country, Product Category, Commercial Length, and Weekend Showing

	Standardized Beta Coefficients					
	Soft-Sell	Elderly & Tradition	Status	Hard-Sell	Youth & Modernity	Product Merit
Country	-.21***			.11*	-.19***	
Product Categories						
Food & Beverages					.14**	
Persn. Care-Cosm-Drugs						
Furnit.-Applian.-Elect				.11*		
Household-Lawn	.13*					
Car & Car-Products			.15**		.10*	
Services						
Length of commercials	.15**			-.20***		.15**
Weekend Showing						
Multiple R-Square	.05***		.04***	.05***	.06***	.02**

*p<.05; **p<.01; ***p<.001

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Sex, Violence and Consonance/Diversity:
An Analysis of Local TV News Values

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Sex, Violence and Consonance/Diversity: An Analysis of Local TV News Values

Abstract

The goal of diversity in broadcast communication has been upheld by the FCC. The problem has been how to define and achieve this goal. Assuming diversity is measured in unique news stories, this study found that 44 percent of 1,335 items were unique. Sensational news of sex and violence showed a particularly high level of duplication or consonance with 70 percent of the stories covered by at least two stations at the time.

Sex, Violence and Consonance/Diversity: An Analysis of Local TV News Values

Abstract

The goal of diversity in broadcast communication has been consistently upheld through the policies of the FCC, and the rulings of the U. S. Supreme Court. The problem has been how to best define and achieve this goal. If diversity in news content is measured in terms of the number of unique stories shown by a local television station, it is possible to measure the types of stories and news content that add to a more diverse TV news agenda. The findings showed that most of the stories (56%) appearing in this sample of 1,335 news items were consonant or duplicated content. Sensational news of sex and violence showed a particularly high level of consonance (70%) among the stories in this sample. Consonant news also involved politics and government, criminal and court news, fires, accidents, or disasters. Many unique stories were identified as human interest features.

Sex, Violence and Consonance/Diversity: An Analysis of Local TV News Values

Introduction

While the theory of diversity in broadcasting suggests that the greater the choice of broadcast programming the greater the public benefit, research evidence shows somewhat conflicting results. Several researchers have found that TV news programming is generating more conformity than diversity in coverage while some others reported contradictory findings.[1] Atwater, for example, discovered that duplication of local TV stories ran as high as 50 percent in three midwestern cities when he counted the news stories in common among local TV stations as a measure of duplication (or consonance).[2] Dordick, however, found that TV news was now more immediate, more vivid, and more diverse, and "most of the technology that will affect the appearance and nature of TV news in the next 10 or 15 years already is in place."[3]

In its efforts to achieve a variety of sources for competitive ideas, the Federal Communications Commission (FCC) has instituted policies of diversity and diversification in terms of broadcast content and station ownership. These policies have been enforced through licensing requirements for radio and TV station owners. The diversification defense was recently used by the Commission to justify its decision to increase the number of radio stations one person or company can own from 12 AM and 12 FM stations to as many as 30 AM and 30 FM stations.[4]

The Commission's policy of information diversity was upheld in *Red Lion Broadcasting Co. v. FCC,* where the U. S. Supreme Court embraced the public's interest in an "uninhibited marketplace of ideas" as a fundamental purpose of the First Amendment.[5] Basic to our system of government is the belief that "right conclusions are more likely to be gathered out of a multitude of tongues than through any kind of authoritative selection."[6] Defenders of a free press believe that the emergence of truth depends upon "the hope that conflict in the marketplace of thought leads to the truth...(because) there is more chance of finding vagrant, elusive truth in a wide open marketplace of competitive ideas than by any other technique so far devised by man."[7]

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[1] Jack Lyle and Walter Wilcox, "Television News -- An Interim Report, Journal of Broadcasting 7 (Spring 1963) : 157-166; Emery Sasser and John Russell, "The Fallacy of News Judgment," Journalism Quarterly 49 (1972) : 280-284; Ben H. Bagdikian, The Information Machine (New York: Harper and Row, 1981).

[2] Tony Atwater, "Consonance in Local Television News," Journal of Broadcasting 30 (Fall 1986): 467-472.

[3] Herbert Dordick quoted by Diane Mermigas, "Network News faces an Uncertain Future," Advertising Age, 5 March 1984, M4-M5, M68.

[4] Mary Lu Carnevale, "FCC Radio Ruling Turns On Big Players But Angers Minority Station Owners," The Wall Street Journal, 13 March 1992, B3.

The FCC, however, while advocating diversity in broadcast news and public affairs programming, has been vague and non specific regarding the standards to be met in achieving such goals of broadcast expression. This lack of official definition may be attributed to the reluctance on the part of the Commission to adopt the role of censor, which it is prohibited from doing by the Communications Act of 1934.[8]

Problem Statement

A review of the empirical studies describing in detail the news content of television stations suggests that the body of literature is rather incomplete.[9] While network news programming has been subjected to a wide variety of analyses, the same cannot be said for local TV news programming. The aim of previous studies in the selection of TV stories considered news values, and tried to determine why items were accepted or rejected in the gatekeeping process. These studies tended to either focus on the similarity or diversity of content, but did not examine consonance/diversity as two sides of a single variable. In this sense, it is necessary to refine the concept of consonance in terms of the nature and elements of television. Since all stories on television vary somewhat, there is no such thing as pure news consonance in coverage, but because television stories tend to leave audio/visual impressions of the same people and events, consonance is produced through a common experience of those people and events shared among the audience.

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[5] *Red Lion Broadcasting Co. v. FCC,* 395 U.S. 367, 390 (1969).

[6] Federal Communications Commission, In the Matter of the Commission's Rule Relating to Multiple Ownership of Standard, FM, and Television Broadcast Stations, 22 FCC 2d 310, 25 March 1970.

[7] Morris Ernst, The First Freedom (New York, N.Y.: The MacMillan Co., 1946), p. 17, as cited by Stanley K. Bigman, "Rivals in Conformity: A Study of Two Competing Dailies," Journalism Quarterly 25 (1948) : 127-131.

[8] Sec. 326, Communications Act of 1934 , 48 Stat. 1064 (1934), as amended 47 U.S.C.A. 326.

[9] William R. Davie, "Diversity and Consonance in Television News: An Analysis of Content and Source Variables," (Ph.D. dissertation, The University of Texas at Austin, 1991).

Thus, the purpose of this study is to investigate the content of local news and measure the unique and similar stories generated by television stations in terms of topical categories and the sensational elements. It is to replicate and extend a 1983 pilot study concerning the diversity of local news coverage in three TV markets in Michigan and Ohio.[10] While that study used a simple description of local items, this study includes specific content characteristics of stories and refines the concept of sensationalism in terms of its consonance/diversity. It is based on a rationale that an examination of unique and similar stories produced by competing stations provides a clearer insight into the news-defining process. This way not only shared news values are revealed, but also the relationship between types of unique and shared stories. A relationship is established between the items that constitute consonant or unique coverage, and the content provided by these stories for television.

One of the major concerns of media scholars and federal policy makers is to learn about how a television station responds to the needs of its community. The FCC oversees policies supporting diversity in broadcast communication. The Commission acts to ensure diversity in American broadcasting. In the past, the FCC's rules protected independent TV stations; prevented media cross-ownership of broadcast stations and newspapers; placed limits on the number of radio and TV stations owned by a single entity; and affected political content in news and public affairs.[11] In its policy statement on comparative hearings for broadcast licenses, the FCC held that "the primary goals of good service and diversification of control are...fully compatible."[12]

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[10] Tony Atwater, "A Market Analysis of Content Diversity in Local Television News." (Ph.D. dissertation, Michigan State University, 1983).

[11] Karl John Nestvold, "The FCC Theory of Diversity as it Applies to Local News and Public Affairs Programming on Independent Television Stations," (Ph.D. dissertation, The University of Texas at Austin, 1972).

[12] Federal Communications Commission, Policy Statement on Comparative Broadcast Hearings, FCC-689 (July 28, 1965), in Frank J. Kahn (ed.) The Documents of American Broadcasting (New York: Appleton-Century-Crofts, 1968), p. 530.

The Commission, however, began to change its position in the 1980's, going against certain rules regarding ownership and programming content in broadcasting. The Commission, for example, eliminated the fairness doctrine in 1987 after determining that it was not necessary to provide viewpoint diversity in the new media marketplace. This action came after advocates of deregulation successfully argued that new TV technologies produced diversity without government regulation.[13]

Even before the era of deregulation, critics claimed that the Commission's efforts to provide a diversity of voices through policy and regulatory controls had proven to be a failure. Bagdikian said TV stations substantially duplicate each other's reporting and the FCC's attempt at "translating a maximum of local stations into maximum choice of content and timing has largely failed."[14]

Following the FCC's deregulation of radio and television, critics charged that themes of sex and violence were becoming more prevalent in TV news programming. Revzin criticized the excesses attributable to local TV news, "in which fires, crime and highway accidents seem to be an extension of the evening's dramatic offerings on the networks."[15] He contended that non-sensational news items involving "politicians, bureaucrats and jurists, which can powerfully affect people's lives, often are crowded out." Sensationalism also was soundly rejected by the Radio-Television News Directors Association in its code of news ethics, which advised members to "evaluate information solely on its merits as news, rejecting sensationalism or misleading emphasis in any form."[16]

Interest in news values carried over to the unique quality of TV news judgments. Harless interviewed a TV gatekeeper and found that incoming press releases and other incoming mail could push through the assignment editor's gate only if it was local in content; susceptible to a televised presentation, or contained news of interesting people. Conversely, news releases were quickly rejected containing dated material, lacking in local content or not television adaptable.[17]

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[13] 1985 Fairness Report. Inquiry into Section 73.1910 of the Commission's Rules and Regulations Concerning the General Fairness Obligations of Broadcast Licensees, 102 FCC 2d 143, 58 R.R. 2d 1137 (1985).

[14] Ben H. Bagdikian, The Information Machine (New York: Harper and Row, 1981), p. 138.

[15] Philip Revzin, "The Television Era; Entertainment, Action are the Main Ingredients of the Local TV News," The Wall Street Journal, 15 October 1977, p. 1.

[16] See: Code of Broadcast News Ethics Radio-Television News Directors Association, as cited by Vernon A. Stone in "Careers in Radio and Television News," (Radio-Television News Directors Association: Washington, D.C.).

The interest in news values became concerned with consonance in Harmon's gatekeeping research designed to determine whether local TV news borrowed its agenda of news from the daily newspaper, police scanners or press releases. He found that TV news gatekeepers were not passive in their acceptance of others' news judgments, but generally viewed their role as repackagers of news. Harmon considered the criticism of visual excess in news judgments by TV gatekeepers to be partially correct in that "the traditional news values of proximity, prominence, consequence, significance and the unusual nature of the story were the reasons most often given by the gatekeepers to explain their decisions."[18]

In order to address the issues involving the TV news defining process, this study examines the extent to which local TV stations exhibit diversity and consonance in coverage, and the extent to which measures of diversity and consonance may be addressed with news categories and elements of sensationalism. The principal research questions included in this study are as follows:

1. *Is there a relationship between the news topic and the appearance of unique or consonant news items?*
2. *Is there a relationship between the news stories with sensational elements, such as sex, violence, and human interest and the appearance of unique or consonant news items?*

Definition of Terms

The basic unit of analysis for this study was the *news story,* defined by Fowler and Showalter as "any topic introduced by the anchorman coupled with any reporter or reports by other correspondents on the same topic and any concluding remarks by the anchorman."[19]

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[17] David H. Harless, "Mail Call: A Case Study of a Broadcast News Gatekeeper," Journalism Quarterly 51 (1974) : 87-90.

[18] Harmon, "Mr. Gates Goes Electronic: The What and Why Questions in Local TV news," p. 870.

In order to compare stories, it was necessary to define each item by a brief summary of the essential point of the story, described as the *news peg*. *News peg* was defined by Broussard and Holgate as "the aspect of a news event...that makes it newsworthy; the angle of the story on which the lead will be based."[20]

The term *diversity* of news content was defined as the percentage of unique news stories broadcast by individual stations in the sample market during the sample period, based on the number of all items aired in the market. The content, type and frequency of *unique* or non-duplicated news stories described any item that was presented as a locally-originated or network story on a station during a particular newscast, and which was not seen on another station in that market at that time.

A *consonant story* referred to any story that was aired on two or more newscasts at a particular time during the sample period, sharing the same *news peg,* including discussion of the news event, occurring at the same place and same time. These stories were also described as duplicated or similar news items.

Sensationalism was defined as news elements featuring depicted acts of sex and/or violence or stories that were primarily of human interest, which did not involve timely and controversial information or have a definite *news peg*.

A *local newscast* was the daily half-hour segment of news and information presented by TV anchors on a single local station and containing at least seven or more stories. (For purposes of this study, the data set was limited to the collection of news stories, exclusive of editorials, weather segments, sports, stock reports, commercials and promotional announcements.)

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[19] Joel Fowler and Stuart Showalter, "Evening Network News Selection: A Confirmation of News Judgment," Journalism Quarterly 51 (1974) : 712-715.

[20] E. Joseph Broussard and Jack F. Holgate, Writing and Reporting Broadcast News, (New York, N.Y.: MacMillan Publishing Co., 1982), p. 183 as cited in Atwater, "A Market Analysis of Content Diversity in Local Television News," p. 17.

Market size signified the rank-order of the Standard Metropolitan Statistical Area (SMSA) assigned to the geographic region, wherein broadcast TV stations produced substantive and regular local newscasts on a daily basis.

Review of Literature

Media researchers have examined diversity in broadcast program patterns beginning with Steiner's work in 1952, which analyzed the "workability of competition" in radio broadcasting.[21] Steiner found that local independent radio stations did not automatically produce unique high-quality programs at the local level, but instead tended to replicate popular and inexpensive programming. He concluded that "where there are a number of such stations in a local market, such cost conditions tend to make for duplication of this type of program, so that a second level of duplication emerges, and the classes of programs unproduced at the national level remain unproduced."[22]

Owen challenged this conclusion, charging that Steiner's findings were based upon "primitive" ideas about the economy, the scarcity of channels (particularly in cable-connected America) and the relationship between diversity and freedom of expression.[23] He attacked the public interest defense of diversity, calling it an infringement of the First Amendment rights of the broadcaster. Diversity in programming is protected by the ratings, Owen said, when the audience "votes" for its favorite programs through the ratings.

Diversity and consonance of broadcast expression received attention from other mass communication scholars. Noelle-Neumann, for example, observed the existence of similar elements in TV news and concluded that "consonance across all the mass media is a most effective factor because it restricts and eliminates selective perception."[24] She urged an investigation of the elements of "consonance, cumulation and ubiquity" in order to determine how periodical repetition in the media influences and molds public opinion.

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[21] Peter O. Steiner, "Program Patterns and Preferences, and the Workability of Competition in Radio Broadcasting, Quarterly Journal of Economics 66 (February 1952) : 194-223.

[22] Ibid., p. 221.

[23] Bruce M. Owen, "Regulating Diversity: The Case of Radio Formats," Journal of Broadcasting 21 (1977) : 305-319. See also: Bruce M. Owen, "Diversity in Broadcasting: The Economic View of Programming," Journal of Communication 28 (1978) : 43-48.

[24] Elisabeth Noelle-Neumann, "Return to the Concept of Powerful Mass Media," Studies in Broadcasting: An International Annual of Broadcasting Science, (Tokyo: Nippon Hoso Kyokai, 1973) pp. 67-112.

Diversity, Deregulation and Sensationalism

A number of studies have been conducted in the area of television news sensationalism. Hofstetter and Dozier found that nearly half of the news stories appearing on local television in Houston fit the researchers' definition of sensationalism, but those items often included some useful information, including background material and mention of the political process.[25] In an earlier study, Ryu reported that even political campaigns had been tainted by sensational coverage based on an analysis of public affairs coverage and sensationalism appearing on Cincinnati television stations in 1976, 1978 and 1980. Ryu concluded that sensationalism tends to dominate local news, except in election years when coverage of public affairs increases and such stories "...serve as reserves to maintain high ratings...stories people want to hear are more important than what people ought to know."[26] A more recent study of television news content in the same market found sensationalism to be included in "a significant portion, but not a majority of the stories" in the newscasts of TV stations in Cincinnati. Harmon defined sensationalism as violent crime, disasters, and accidents. Of his sample of 543 stories, 31.5 percent fit this definition of sensationalism.[27]

Adams' content analysis of ten Pennsylvania stations reviewed the way local television news covers public affairs compared to its coverage of sensational and human interest stories.[28] In terms of format diversity and length, Adams found that the range among stations was small with about 13-to-15 minutes of news time during a half-hour broadcast. About 75 percent of the news time was spent on stories about government and politics, or community activities.

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[25] C. Richard Hofstetter and David M. Dozier, "Useful News, Sensational News: Quality, Sensationalism and Local TV News," Journalism Quarterly 63 (Winter 1986) : 815-820, 853.

[26] Jung S. Ryu, "Public Affairs and Sensationalism in Local TV News Programs," Journalism Quarterly 59 (Spring 1982) : 74-77, 137.

[27] Mark D. Harmon, "Mr. Gates Goes Electronic: The What and Why Questions in Local TV News," Journalism Quarterly 66 (Winter 1989) : 860.

[28] William C. Adams, "Local Public Affairs Content of TV News," Journalism Quarterly 55 (1978) : 690-695.

Dominick, Wurtzel and Lometti made an effort to distinguish between the show business aspects of television journalism and more serious reporting in their content analysis of television newscasts in New York City.[29] They found that network affiliated stations in New York devoted about the same amount of newscast time to 'hard news' stories, but differed in the number of feature or human-interest stories. Hard news dominated this content analysis, taking up approximately 75 percent of the news hole. There were signs of a shift away from issues and information, and toward the entertainment aspects of the news with an emphasis on violent, humorous and emotional stories.

Research in Diversity and Consonance

Researchers have compared media outlets through gatekeeper and content analysis, often focusing on either consonance or diversity in television newscasts. Lyle and Wilcox noted the expanding role of television as a local news carrier in 1963, and determined that network affiliates in Los Angeles presented more news than non-network stations. Their "ratio of redundancy" from the early evening newscast to the late evening newscast was just about one-to-one. The application of news values in television, especially by non-network stations was keyed to the film clip. There was also a great deal of repetition across television and print media. On one day, for example, a single story, the Laos crisis, was covered by all newspapers and all TV stations. The authors said such "repetition may have a stultifying effect, as in the repeated running of a routine film clip."[30]

Bagdikian examined the issue of local news diversity in one Michigan market in 1971. He found that the news dissemination process in Grand Rapids-Kalamazoo lacked a great deal in terms of diversity, but it should be noted that this content analysis was limited to a single market on a single broadcast day.[31]

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[29] Joseph Dominick, Alan Wurtzel and Guy Lometti, "Television Journalism vs. Show Business: A Content Analysis of Eyewitness News," Journalism Quarterly 52 (1975) : 213-218.

[30] Jack Lyle and Walter Wilcox, "Television News -- An Interim Report, Journal of Broadcasting 7 (Spring 1963) : 157-166.

[31] Bagdikian, The Information Machines, p. 309.

Anderson examined the content of both independent and newspaper-controlled broadcast stations in 1971, and compared news treatment of broadcast stations with that found in the same day's local newspaper. He found "no support for the position that alliances between television stations and newspapers will systematically result in a monolithic presentation of information."[32] There was evidence that newspaper-allied television stations varied from the newspapers in their presentation to a greater extent than stations not allied with newspapers.

Buckalew's Q analysis of the television news editor as a gatekeeper tested responses to a pool of 64 news stories representing all possible combinations of 12 elements of news. It was found that 12 TV gatekeepers "were greatly alike in their selection of news stories, in their perception of audience and news sources and in their reading habits."[33] Buckalew replicated his study with 23 radio journalists from six western states and found that "like their television colleagues, the radio news editors were greatly alike in their selection of news stories and in their perceptions of audience and news sources."[34]

Sasser and Russell's findings regarding the shared news content of competing local TV stations was at odds with the findings of other researchers. They found only 16 percent of local news items broadcast by two metropolitan stations were duplicated news stories, leading to the conclusion that local TV news editors appeared to lack consistency in their news judgment. The researchers did find of the 731 local stories appearing in the five media (two newspapers/three TV stations), 316 of those topics (43 percent) appeared in at least two media.[35]

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[32] James A. Anderson, "The Alliance of Broadcast Stations and Newspapers: The Problem of Information Control," Journal of Broadcasting 16 (1972) : 51-64.

[33] James K. Buckalew, "News Elements and Selection by Television News Editors," Journal of Broadcasting 14 (Winter 1969-70) : 47-53.

[34] James K. Buckalew, "The Local Radio News Editor as a Gatekeeper," Journal of Broadcasting 18 (1974) : 211-221.

[35] Emery Sasser and John Russell, "The Fallacy of News Judgment," Journalism Quarterly 49 (Summer 1972) : 280-284.

Consonance and Diversity in Network News

The preceding consonance and diversity studies involved local news, but at the network level of analysis, a number of studies also contributed relevant data to this research. Lemert looked at the diversity of content in the network newscasts of ABC, CBS and NBC television over a 14-day period in 1974. He discovered 58 percent consonance among all stories telecast on week-day evenings on the three major network newscasts.[36] On Monday through Friday evenings, nearly 70 percent of the stories carried by one network were covered by at least one of the other two network newscasts, but this consonance dropped substantially on the weekends. The kinds of stories most likely to be duplicated were the "hard-straight-official news items," and these stories were not as likely to appear on television on the weekends.[37] Most of the stories counted by Lemert (61 percent) were not duplicated on the weekends, partially due to a decline of about 15 percent in "hard-straight-official news items." Not all of the drop-off in consonance could be explained by the disappearance of routine news items, however, since there was a parallel decline in the duplication of other types of stories as well.[38] "Given the importance of network TV news as a source of information for Americans," Lemert concluded that "there may be reason to raise the cries of alarm which once were heard about standardized content in newspapers."[39]

In another study of network news consonance, Fowler and Showalter discovered the majority of newscast time on each of the three major networks was devoted to topics covered by at least one other network. Only about 30 percent of network newscast time was devoted to unique news topics.[40] Not only was there significant agreement among network editors regarding their selection of news topics, but also their treatment of individual stories. Rather than attribute this consistency to some form of journalistic conspiracy, as Vice-President Agnew did in 1968, the researchers ascribed the similarities to the shared news values reflected by the network editors' story selections and treatment. At what point does this news duplication represent a national news service effectively squelching minority voices and opinions? Fowler and Showalter found it difficult to determine the "distinction between a healthy similarity and an unhealthy conformity in network news."[41]

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[36] James B. Lemert, "Content Duplication by the Networks in Competing Evening Newscasts," Journalism Quarterly 31 (Summer 1974) : 230-244.

[37] Ibid., p. 240.

[38] Ibid., p. 241.

[39] Ibid., p. 243.

[40] Fowler and Showalter, "Evening Network News Selection: A Confirmation of News Judgment," p. 713.

Altheide presented additional evidence that the networks were quite similar, offering few divergent perspectives or news topics.[42] His content analysis reviewed the Vanderbilt collection of network newscasts during the hostage siege in Iran, and saw "no significant differences between networks, which indicates consonance."[43] His data showed that major network newscasts presented similar messages without allowing insight into the important historical, cultural and religious contexts which gave rise to the revolution and the Khomeini government. The networks' shared focus was upon the volatility and instability of the Iranian government in the context of a few dramatic events unfolding in that nation.

Not all studies resulted in findings of consonance in network newscasts. Pride and Clarke's study of the three network newscasts provided an exception regarding their individual coverage of issues of race.[44] NBC produced significantly more coverage on racial issues than did the other two networks during the sample period of newscasts from 1968-to-1970. Pride and Clarke concluded, "NBC not only provided a greater total volume of race coverage, but also emphasized its coverage more than the other networks."[45]

The focus of these studies was often freedom of expression, identified by the familiar metaphor, "a free marketplace of ideas." Consonance studies showed how mass media messages lacked diversity and were similar in content, although they were transmitted by different communication channels. Researchers in diversity theory examined the overall message output of specific communication systems for differences in types of communication output. Their approach was based on the notion that an accurate measure of the diverse marketplace of ideas was obtained by measuring the variety of content expressed through channels of the media.

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[41] Ibid., p. 715.

[42] David L. Altheide "Three-In-One-News: Network Coverage of Iran," Journalism Quarterly 59 (1982) : 482-486.

[43] Ibid., p. 484.

[44] Richard A. Pride and Daniel Clarke, "Race Relations in Television News: A Content Analysis of the Networks," Journalism Quarterly 50 (1973) : 318-328.

[45] Ibid., p. 328.

That approach suggested that the greater diversity in media content, the greater the public good.

Methodology

Diversity could be defined in different ways. It has been given different meaning by broadcasters, policy makers and scholars. Through the FCC's implementation of the fairness doctrine, for example, it was defined as the airing of contrasting viewpoints on controversial issues of public importance. This study defined it as the unique quality of any news item presented during a local newscast without a consonant or duplicate item aired by competing local stations at the same time. This definition was taken from Atwater's case study and in order to replicate and expand upon it, three sample markets in Texas were selected for sampling and content analysis.

Content data yielding comparisons of consonance and diversity in local news coverage were gathered from late evening newscasts over a two-week period of videotaping. The sample markets differed in terms of population size, metropolitan areas and demographics, and were selected for practical reasons involving data collection as well.[46] Nine stations, all network affiliates provided a data pool of 1,335 stories. Stations were chosen on the basis of a regular, evening local newscast of at least one half-hour in length.

The first sample period for the study covered a three-week period in October 1988, beginning October 10, and concluding October 28. For a five-day period (Monday-Friday) the late evening newscasts were recorded in the three sample markets. A test recording was made in each of the markets during the week prior to actual sampling period, which occurred as follows: Austin: October 10-14, 1988; San Antonio: October 17-21, 1988; Dallas-Fort Worth: October 24-28, 1988. The second data collection week was scheduled for the last week of November 1988 in order to avoid the potential for bias of news data gathered during a presidential campaign in an election year. The formal coding procedures for the October sample were undertaken during the last week of November 1988.

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[46] The markets of Austin, San Antonio, and Dallas-Fort Worth were within geographical proximity necessary to secure videotape recordings of the stations' newscasts for this study. The nine commercial TV stations were network affiliated and broadcast half-hour newscasts on a daily basis. No independent commercial stations or public broadcasting station fit that description in the sample markets. All but two of the nine stations in this analysis were broadcasting on VHF channels. The two UHF stations were located in Austin, Texas.

Coders were selected from college students and trained by the researcher. Intercoder reliability was computed as the percentage of agreement between nine pairs of coders who were assigned the same newscast for coding. The average of these percentages was expected to be 85 or higher in order to consider the coding sufficiently reliable for this analysis. The duplicated coding exercises were undertaken in each of the three sample markets. Intercoder reliability between the pairs of coders was averaged to be 95 percent. There were discrepancies among coders in the categories of news topic and story format, but these discrepancies were remedied by offering additional guidelines in coding or researcher confirmation. The author addressed close calls by comparing the videotape story with the coder's classifications.

Analysis of Data

The data set of 1,335 stories were extracted from the late-evening newscasts during the week days. The 10 p.m. newscast was the last major news program of the day, and represented the distillation of local, state, national and world stories successfully passing through the news gates to local TV audiences. This newscast was considered to be the most important one in terms of advertising revenue and audience revenues, and it usually attracted the largest audience of the day. In addition, it was selected for analysis because of the possibility that stations within a market would air a story at that time as a result of its appearance on a competing station or network earlier in the news day.

Percentage data were used to illustrate the extent of news content diversity examined in each broadcast market. These percentages related to: (1) the proportion of unique versus duplicated stories aired by each of the nine stations; (2) the association of duplicated and unique news items with news categories; and (3) the proportion of sensational stories aired by each station in association with duplicated and unique news items. For the purposes of this study, percentages described the amount of news consonance/diversity within a market by dividing the total number of duplicated stories over the total number of news items over the five-day sample period. Similar percentages were arrived at by comparing across markets for duplicated stories based on the total number of stories during that five-day period.

News Topics and Consonance/Diversity

The first research question was designed to determine whether there is a relationship between the news topic and whether it appears as a consonant or unique item. It examines the relationship between specific topics of news content and consonance/diversity. Ten news categories adapted from previous studies were included: politics-government; crimes-courts; fires-accidents-disasters; economy-business; health-medicine-science; human interest; education; religion; sports and weather.

TABLE 1

Diversity/Consonance of Stories by News Topic

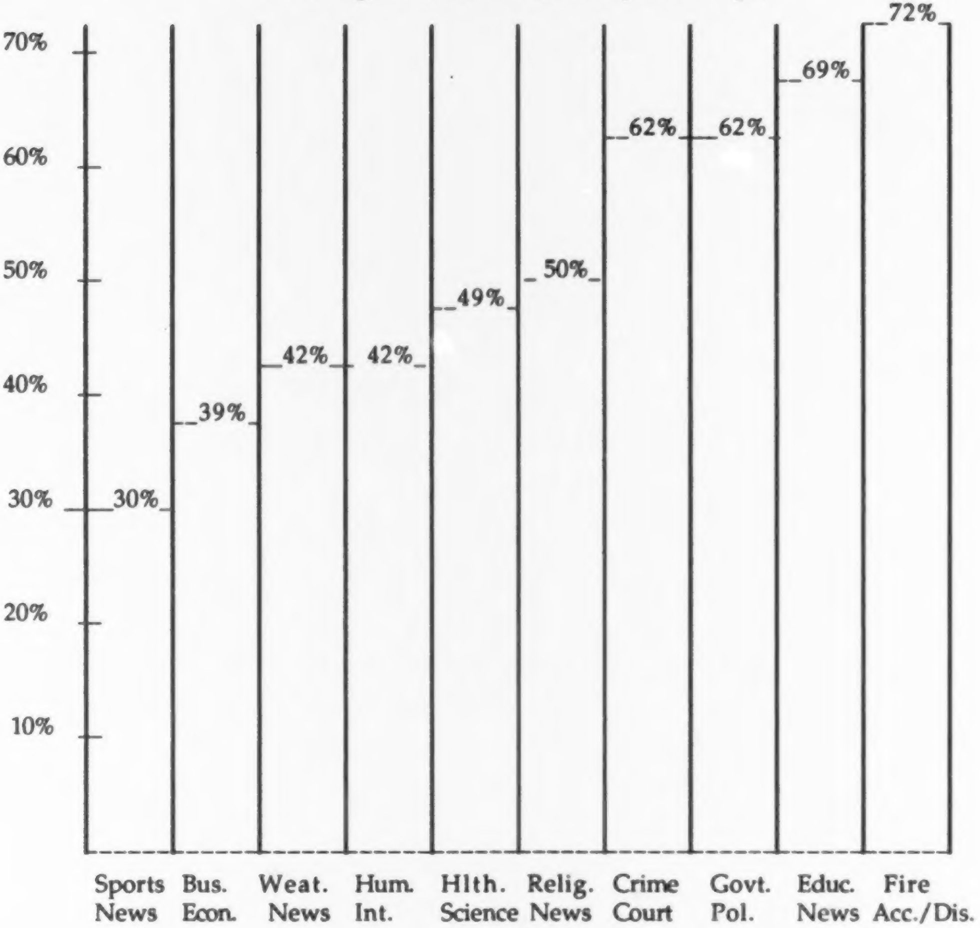
News Topic	Govt. Pol.	Crime Court	Hum. Int.	Econ. Bus.	Hlth. Science	Fire Acc.	Educ. News	Weat. News	Relig. News	Sports News	Total
Unique Stories	38%	38%	58%	61%	51%	28%	31%	58%	50%	70%	589
Cons. Stories	62%	62%	42%	39%	49%	72%	69%	42%	50%	30%	746
Total	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
N	(425)	(258)	(191)	(133)	(131)	(125)	(26)	(26)	(10)	(10)	(1,335)

**df = 9, chi-square = 63.74, p <.001.

Table 1 compares how certain categories reflect similar and contrary news judgments. The greatest agreement among stations came in the category of fire-accident-disasters, where 72 percent of the items were covered by at least two stations per market. News featuring government-politics and criminal-legal activity attracted consonant coverage 62 percent of the time. Greater diversity was found in human interest reporting with the largest number of unique stories, 111 or 58 percent of all human interest stories. Higher percentages of unique stories were also computed in sports and economic-business categories, where 70 and 61 percent of the stories were unique. To a lesser degree, weather news showed more diversity among stations, but coverage of health-medicine-science as well as religion reflected a balance between consonant and unique stories. The relationship between news categories and the variable of consonance/diversity was significant.

FIGURE 1

Percentage of Consonant Stories by News Topic



There are ten news topics to report in terms of consonance and diversity of coverage. For the five largest news categories, Figure 1 indicates greater similarities in terms of the news topics of fire-accident-disasters, government-politics, and crime-court reporting. There was also considerable agreement in education coverage, but only 26 stories involved education news. In terms of human interest items and business-economy, 58 and 61 percent of those stories were unique. The split was about even for health-medicine-science stories and news about religion.

News Sensationalism and Consonance/Diversity

The second question asked if there is a relationship between stories with sensational elements, such as sex, violence and human interest, and consonance/diversity. Overall, there were 420 sensational stories, as defined by this study, or 31 percent of the 1,335 items analyzed. The remaining 915 items (69%) were about non sensational news, without violence/sex or human interest. The sensational coverage among stations ranged between 20 and 53 percent.

TABLE 2

Diversity/Consonance of Stories by Sensationalism

Story Description	Sensational Stories	Nonsensational Stories	Total
Unique Stories	44%	44%	589
Consonant Stories	56%	56%	746
Total (N)	100% (420)	100% (915)	100% (1,335)

**df = 1, chi-square = .025 (NS)

One interesting aspect of the sensational/non sensational news breakdown was how well it compared with the consonance/diversity variable in this sample. The 56-to-44 percent ratio between duplicated and unique stories in the sensational news table mirrored the sample as a whole, and indicated no significant relationship existed. A stronger relationship was seen, however, when sensational items were divided into two categories: sex/violence and human interest.

TABLE 3

Consonance of Stories by Kind of Sensationalism

Sensational Elements	Violence/Sex	Human Interest	Total
Unique Stories	30%	61%	185
Consonant Stories	70%	39%	235
Total (N)	100% (231)	100% (189)	100% (420)

**df = 1, chi-square = 41.1 p < .001.

Table 3 shows how different types of sensational items contributed to the division of consonance/diversity. Overall, 70 percent of the consonant stories with sensational elements involved sex and violence, compared to 39 percent in human interest. This consistency in consonant reporting of sex and violence suggested a unique pattern, particularly since the same stations tended to select a much wider variety of human interest features. Only 31 percent of the shared sensational stories were of a human interest nature.

Summary and Conclusions

This study was prompted by two topics of concern to media scholars and the Federal Communications Commission. Originally, the public's interest in diversity was upheld by the Commission's policies and rules of station ownership. More recently, the FCC steered a course of media deregulation on the basis that diversity is best achieved through greater freedom of broadcast expression. The purpose of this study was to examine and describe the nature of local TV news in terms of its consonance/diversity, content and sensational elements. It accomplished the following objectives: (1) it identified TV news content by its news topic and sensational elements; (2) it analyzed the content for consonance/diversity among TV stations in a given market; and (3) it associated measures of consonance/diversity with particular content variables of story topic and sensationalism.

News Topics

This study showed that topics involving public institutions achieved the highest percentages in consonance ratings. The two most popular topics were government-politics with 425 stories, which was 32 percent of this sample of 1,335 stories, and crime-court news with 258 stories, which was 19 percent. Both topics showed 62 percent consonance. The highest consonance ratio, however, was computed in the category of fires-accidents-disasters which reached 72 percent. The high-consonance categories of crimes-courts, government-politics, fire-accident-disasters and education amounted to 62 percent of all stories in this sample. All four news topics with consonance levels at 50 percent or greater involved tax-supported, public institutions.

There appeared to be less involvement of public institutions in the low-consonance categories of health-medicine-science, human interest, weather, economy-business and sports. There were a few economy-business items involving government statistics and a number of health-medicine-science stories involving educational institutions, but the majority of the 494 stories in these low-consonance categories appeared to originate within the private sector. Human interest stories added more diversity than any other topic with 58 percent unique coverage. Only stories about sports and business had a higher percentage of diversity, but they were far fewer in number than human interest items.

Diversity in sports and weather news may be the result of story placement. Since sports and weather segments were excluded from this analysis, a sports or weather story's appearance as a unique item was perhaps due to the producer's decision to place it in the newscast portion. In any event, the categories of human interest, economy-business and health-medicine-science showed more diversity than the topics of government-politics, crime-courts, fires-accidents-disasters and education. Religion stories were balanced between consonance/diversity, but there were only ten stories about religion in this sample of 1,335 stories.

In contrast with these findings, Atwater's sample showed unique percentages to be higher than consonant percentages in the categories of government-politics and crime-courts.[47] His study also showed no topic attracted so much consonant coverage as that of fires, accidents and disasters. The degree of duplication this sample and the Michigan-Ohio sample was more than 60 percent. In both case studies, the markets with the most consonance (Toledo and San Antonio) produced more news about fires, accidents and disasters than the other sample markets. Atwater's study and this sample, however, both showed larger percentages of unique items in the human interest category. The diversity found in human interest news may be related to the variety of sources for such features, which included unusual events and personalities, without controversy or conflict.

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[47] Ibid., p. 110.

News Sensationalism

The second question of this research involved the degree of consonance found in sensational news presented by local television. When sensational stories were examined for consonance/diversity, there was virtually no difference between sensational and non sensational stories from the total sample.

After sensational stories were divided according to elements of sexual-violent acts and human interest, differences became apparent. In human interest stories, where diversity was the rule with 61 percent unique items versus 39 percent consonant items. When stories of sex and violence were compared for consonance/diversity, another picture emerged. Seventy percent of the sex/violence stories were duplicated compared to 30 percent that were unique. The differences in consonant coverage of sex and violence versus unique human interest reporting produced a chi-square of 41.1, significant at the .001 level.

Overall, stories relating to violence and sex outnumbered human interest features by an average of 55-to-45 percent. In terms of consonance, 70 percent of the stories involving violence and sex were duplicated compared to 39 percent of human interest features. In terms of diversity, unique human interest stories made up 61 percent of the total compared to 30 percent unique for reports of sex or violence. Thus, sensational stories of violence and sex tended to attract coverage by multiple stations, while human interest features usually did not.

Berkowitz concluded in another content study of TV news that there is a decided preference for stories about crime, accidents and disasters, which all "concern relatively concrete kinds of information."[48] Local TV news "seemed to be built from information that was easy to explain, that would provide a good audience draw, and that could be assembled with efficiency of effort."[49] The stories gathered in this sample showed the same preference for easy to show-and-tell news with a decided emphasis on events coverage. This study showed local television's preference for simple, unambiguous news stories, low in complexity, but high in visual and dramatic values.

When stories were divided by topical categories, the data showed more similar coverage of fires, accidents and disasters and diversity in human interest features. The findings from these two categories supported Atwater's conclusions, but the categories of government-politics and crime-courts did not. This data showed more consonant stories for politics and crime topics, while Atwater's sample the opposite. This sample's similarity in political news may be partially due to the large amount of shared political coverage of the 1988 presidential race in this sample.

This news category comparison suggests a surrogate variable for consonance/diversity reflecting the hard and soft dimension of TV stories. News at the beginning of the newscast usually covered harder items of fire-accident-disasters or government and politics. TV stories continued to soften until the conclusion of the newscast, which was usually a human interest feature. This mix of news topics showed a degree of consistency across stations in this sample. Stempel previously noted a formulaic pattern in news gatekeeping, where specific stories may not always be duplicated, but story topics appear in a routine and predictable format.[50]

This study presented clear evidence of consonant sensational coverage of sex and violence in TV news. This type of sensational coverage showed up as consonant content 70 percent of the time, suggesting that TV editors tend to agree that such sensational stories are an important part of local news coverage.

Sensationalism in local TV news, defined as coverage of human interest stories and acts of sex and violence represented about 31 percent of the stories in this sample, but sensational stories were no more consonant than other items until human interest features were subtracted from the category and so was much of the diversity.

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[48] Dan Berkowitz, "Refining the Gatekeeping Metaphor for Local Television News," Journal of Broadcasting 34 (1990) : 55-68.

[49] Ibid., p. 66.

[50] Stempel, "Gatekeeping: The mix of topics and the selection stories."

Seventy percent of the stories of sex and violence attracted competing efforts among stations and were classified as consonant. In all, 17 percent of the stories in this sample involved acts of sex or violence. This level of sensationalism reflected the entertainment values, which TV editors said must be maintained to insure a high-audience rating. Policy makers need to be aware that the pressure to conform in the marketplace of ideas appears to be greater than the willingness to produce unique forms of local TV news coverage, high in terms of issues and ideas.

This study was limited by its sample size, which included three markets and nine network-affiliated TV stations. No independent stations produced regular, substantial news programs and therefore they were not included in this sample. In order to improve the generality of the findings and avoid skewed data as a result of concentrated coverage of the 1988 presidential campaign, two separate weeks of newscast data were coded before and after the election. The generality of results produced by this geographic area is somewhat limited, but it was enhanced by comparing findings from this Texas study with the results obtained by a similar study in Michigan and Ohio.

This study was also limited to the content of late-night TV newscasts. These local programs were selected for practical reasons, since more national and world stories were seen on the late evening news than on earlier newscasts. A combination of early and late-evening newscasts would broaden the scope of these findings regarding consonance/diversity.

One of the benefits of this research was that it extended Atwater's pilot research to a different geographic region. Additional studies should further refine the nature of consonance or diversity in TV news coverage by examining TV markets in other geographic regions, including the east and west coasts. In addition, future studies could consider consonance/diversity as a means for analyzing news items published by all mass media within a given market. This comprehensive approach would better define which news categories contribute to consonance /diversity and would improve the analysis to consider news dissemination within the market.

SCIENCE AND TECHNOLOGY:
WHEN DO THEY BECOME FRONT PAGE NEWS?

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SCIENCE AND TECHNOLOGY:
WHEN DO THEY BECOME FRONT PAGE NEWS?

(ABSTRACT)

This study suggests there may be two routes to news coverage of science and technology: one route emphasizes conflict along with theory and action descriptions; the other route emphasizes emergence of new thematic material but in absence of conflict. The first route, labelled "change," creates in news format clashes of vested interests resulting from socioeconomic development; the second route, labelled "standard," emphasizes emergence of new thematic material but in absence of conflict. The "change" route links conceptually with theory, action descriptions, and visualization through metaphor in its primary factor; the "change" route seems to provide the best access to Page One coverage of science and technology. Methodologically the study compared through content analysis a more innovative, economically progressive "research" area in the United States with an economically flat "control" area; areas were selected by National Bureau of the Census and local economic development office statistics.

SCIENCE AND TECHNOLOGY:

WHEN DO THEY BECOME FRONT PAGE NEWS?

Most experts agree that scientific literacy is important to a nation's political and economic well-being; many educators also agree, however, that scientific literacy is tragically lacking in the United States. Some mass communication researchers believe that part of the problem is that serious coverage of science and technology within this country is limited to a few flagship newspapers, with local coverage being scant and often missing because sports, lifestyle, and other "soft" news items are, more often than not, given priority in the news hole.

Editors and publishers would probably run more science stories if they believed their readership demanded more science news. The basic claim of the present study is that increasingly complex systems will require more in-depth science coverage and that neither of these phenomena will occur until a structural, economic basis for change occurs within the system.

To help explain such phenomena, Ashby (1956), in his Theory of Requisite Variety, developed formulae to demonstrate that an increase (or decrease) in "requisite variety" on one side of the boundary of an entity would call for corresponding changes (increases or decreases) in variety on the other side (or within) the entity or the system. Accordingly, if an interpenetrating system or environment becomes overly complex for an adjoining system, the lesser system, if it does not change, may be overwhelmed by the increased information (or, in our culture, another source may provide the needed balance of information, often for profit). Adversely, the system will not be more demanding of information sources until it becomes more complex.

Increased system complexity is a function of change between interacting or interpenetrating systems, often related to changes in technology. Tichenor, et al (1980), found that basic societal changes resulting in increasing pluralism in an audience led to increased reporting of conflict. They viewed increased reporting of conflict as a sign of system change.

Similarly, Fowler et al (1979) observed that system change can be traced in the language of reporting where technological terms--often viewed as jargon by writing instructors--can be seen to be instances of relexicalization. These authors maintain that "made-up" or combination terms eventually become common knowledge in an audience, partially through experience with news reports.

Tichenor (1965) coined the terms information "of" and "about" science to explicate important differences between scientific press reports that simply tell of scientific occurrences and those that attempt to explain the occurrences in context, often providing understanding of scientific processes. Utilizing concepts such as these, a 1988 study (Ramsey) proposed two basic types of science writiers: Information Brokers--producing "information of" science from more localized scientific sources, and Authority Brokers--appearing to "gatekeep" from within a more central part of the science network (utilizing more elite sources from centers such as Harvard, Stanford, MIT, and others of similar status). Here, writers designated as "inner club" (Dunwoody's term, 1978), appeared to help bridge the gap between the more universalistic modes of Authority Brokers and the more particularistic approaches of Information Brokers. Unanswered questions were, at what stage and under what conditions might more localized, less scientifically inclined Information Brokers be expected to take on the role of "inner club" science writers and begin to build verbal bridges using an elaborated style of writing to do so? Also, when would editors and publishers begin to feel the need to expand science coverage, perhaps even to page one coverage?

In a 1990 study, Ramsey found innovation or change in a system linked to nominating behavior of writers and their sources (nominating sources from the periphery of the science system), where coverage of sources in local organizations seemed important. The primary factor here, that seemed to differentiate between more universal coverage of science issues and more particular, localized modes was language use. Content analysis of science reports from a technologically developing area over three sampled years (eight-year span) showed significantly increased use of almost all figures of speech, viewed as devices useful for elaboration of cognition.

The purpose of the present study was to compare a developing area viewed as more "innovative" in scope of science coverage with a "control" area, to determine if elaborative language elements and local coverage of science and of scientists might signify underlying elements of change in a system. The concepts (variables) studied through content analysis were:

a. total coverage: square inches of science coverage over eight years (three one-year sample populations) was tabulated for two newspapers, from two similar communities, one of which was considered a "control" community in that there had never been a concentrated effort there to attract large sums of money to develop a permanent home for high-tech research and development industries, as there had been in the "research" community;

b. news emphasis through placement in the news hole: folio identification was tabulated to determine whether or not there were differences in emphasis upon science news, whether such news ever appeared on Page One and, if so, under what circumstances; also, whether science news received emphasis by placement on page one in a special section, or was placed somewhere within a special section, or was placed at random throughout the newspaper;

c. identification of the "given" piece of information in science articles through coding of theme repetition in articles ("given" was operationalized as the theme). In Clark and Haviland's definition of *given/new* contract (1977), these authors identified the part of the message the reader/sender recognizes and already knows as the "given" in the message; these authors believed this part of the message could be isolated as an important element in natural language redundancy. This element coordinates closely with the "new" variable, explained in item d;

d. identification of the "new" items presented to the reader. "New" information items evolve from what has been "given," therefore these two language components appear as complementary partners in the creation of new cognitive categories, or in the creation of new ways of thinking about familiar ideas or concepts; integration of "new" with "given" is fundamental to understanding scientific concepts, so that there exists an unstated contract between what is known and what is not known about entities: one cannot move forward without the other;

e. visualization items were coded through presence of metaphor in articles; metaphor is recognized by many as the verbal re-coding of reality in order to privide new images and new ways of seeing things in a completely new light (Tourangeau and Sternberg, 1982);

f. visualization items also were coded as simile;

g. transformation items operationalized as analogies; Hockett (1985) stated that human beings make new arrangements of form or function when they use analogies to older, more familiar, forms, in order to substitute one coded (cognitive) category for another, whether in thought, statement, or in deed;

h. scripts of scientific and technological lore, as well as of scientific behaviors, was operationalized as use of anecdote;

i. creation of common myth was operationalized as use of the figure of speech personfication;

j. socioeconomic change and diversification was operationalized in this study as items denoting local clashes of interests, or conflict (after Tichenor, et al, 1980);

k. language indicators of system change incorporating new scientific elements was tabulated as combination terms, believed to be a measure of relexicalization (Fowler, 1979);

l. depth of scientific explanation in articles was operationalized as theoretical explanation of science concepts; depth of cognition has been viewed by Anderson and Reder (1979) as the abstract, symbolic properties of a concept or a cognition; explanation of theory seems to come close to this definition;

m. breadth of scientific explanation in articles was operationalized as new behaviors or actions possible and explained as a result of scientific discoveries and breakthroughs; Anderson and Reder (1979) defined breadth of cognition as the number of cognitive elaborations available within a concept.

Regarding variables explained in "l" and "m" above, elaboration of communication, whether written or spoken, is believed by Anderson and Reder and many other theorists, to encourage and be related to the deepening and broadening of ideation and/or conceptualization. Piaget (1926), who is considered the father of developmental psychology, believed that concentrated elaboration of elements or symbols, as in language use or behavior, helped individuals gain autonomy of action and behavior. Nelson (1973) believed that autonomy of action involved development of organizing principles or schema, the concentration of which permitted qualitative leaps to new levels of understanding; such schema are characterized as having both depth and breadth;

n. presence of scientific development locally was operationalized as items in articles attributing science to local scientific sources, either individuals or organizations;

o. presence of cognitive cues in articles was operationalized as transitional items that "point" and serve as mental road maps for explanation; an example of a cue might be "first, look at the surface of this molecule: it is not as you

expect, smooth and wrinkle-free; rather, it is cracked, like parched land... ."

p. coverage of local science by local science writers and reporters was coded as local byline and increased science coverage coming into the local system was coded for newswire services;

q. origination of the science news was coded as dateline; generally, articles about science originate from some science centers in the country more than others; also, there was interest in seeing the extent to which there were any local datelines for wire service stories;

r. evaluation of the articles, coded as the standard positive, neutral, or negative;

s. number of attributions, overall, also was counted;

t. main topic and main concept for coverage were coded.

It was hypothesized that data would show the more innovative, "research" community as significantly different from the "control" community in the following ways:

1. increased use of all elaborative devices, such as in figures of speech;

2. increased coverage of local sources and organizations;

3. increased items denoting clashes of interest and conflict;

4. increased use of combination terms; and,

5. increased prominent display of science articles in the news hole.

In addition, it was hypothesized that language items from the "research" sample would produce significantly positive correlations, from which an increased textual density could be deduced.

METHODOLOGY

Two community newspapers were studied through identification of similar communities that appeared to provide a basis of comparision of language items. One community was

identified from National Bureau of the Census data on counties in the United States, and for county records, as being one of twenty areas in the United States developing at a rapid rate. This was the area around Research Triangle Park in North Carolina.

The other area was identified through a campus development office as being in an area with a "flat" economy, with only a tiny "blip" on the economic scale produced during a brief expansionary period. This was an area around Tulsa, OK. The Tulsa area seemed to provide an ideal setting for the "control" sample in that data showed it was more or less similar to other economic areas in the state, and that it had been on an economic plateau for a number of years; however, the brief expansionary period could show some indication of the language items in the study.

A census of articles was content analyzed for the Raleigh News and Observer and for the Tulsa World. Three sample years—1978, 1982, and 1986—were selected for the News and Observer because they represented the time frame when the research triangle was undergoing extensive expansion. Adjacent years were selected for coding for the World, except that collection was begun in 1976 in order to get a true picture before and after the "blip" in the area's economic picture. This was necessary, otherwise the so-called "blip" could have produced misleading findings regarding customary language use in science coverage for the area. Thus the years sampled for this area were 1976, 1980, and 1984.

Funds from a small grant and scholarships provided minimum wages for coders and graduate research assistants. Coders were trained to recognize elaboration devices and other study variables in articles (the article was taken as the basic unit of analysis). Reliability estimates were: NC sample—77.6 percent; Tulsa—78 percent.

RESULTS

Differences in square inches of science copy and in placement within the news hole are apparent in Table 1. Square inches of copy are significantly more in the NC sample for the second and third sampling periods (1980 and 1982; 1984 and 1986) even though the 1980 sampling year represented the "peak" period in the Tulsa area. Not only were science and technology articles lengthier in the NC sample, but these stories were more nearly placed on page one of a special section, or even on Page One of the newspaper for the last sampling period (codes were 1 for newspaper's Page One, 2 for page one of a special section, 3 within a special section, and 4 for other placements). Folio placements showed significant differences between the two papers for all three sampled periods. Thus this supports the hypothesis in that the more innovative, "research" community newspaper placed greater emphasis upon science and technology in terms of length of articles and folio placement.

(Table 1 About Here.)

The repetition of theme and appearance of accompanying new information were significantly more apparent in the NC sample for 1978, the expansionary period for research triangle park; also, there is continued significant difference for new information for the NC sample in 1982, even though this was the Tulsa "'peak" period. Use of figures of speech simile and analogy show up significantly more in the NC sample for 1978, and use of example is significant for NC in both 1982 and 1986. Although there were no significant differences for the sampled years for anecdote and personification, there appeared to be greater use of these figures in the NC sample. Thus elaboration in language in the more progressive community newspaper was partially supported, especially through use of analogy in 1978, establishing a link with conceptualization and visualization.

Items coded for clashes of interest and conflict were significantly different for NC for 1978, but these were not significant for the other two sample periods. Use of combination terms showed up significantly in the NC sample for 1982. Whereas use of such terms did not reach significance levels for the other two sample periods, it is apparent that they appeared more often in the NC sample. Thus there was support for the hypothesis in terms of increased use of these two indicators of change and diversity, especially for the more innovative community.

Items depicting depth and breadth (theoretical explanations and descriptions of expanded behavioral options or actions) were generally more emphasized in the NC sample, but significance between the items showed up for breadth alone for the periods 1980/82 and 1984/86. Local organizations and sources figure more prominently in the NC sample, but appear significantly different for 1978. Familiarity with the samples showed that scientists from Research Triangle Park, NC, had attained national prominence to the extent that when they served as sources for a local story, the story had a good chance of being picked up by a wire service; in addition, some of the wire service copy was datelined from the NC area.

Theoretically, this might help explain why some local writers, acting as information brokers, are more likely to become "inner club" science writers, nominating scientists from a peripheral to a more central sphere in the science system. Infrastructural development such as occurred around Research Triangle Park produces conflict and diversity, as well as interest in variety, which attracts media coverage; the attraction of writers to certain sources over time may help solidify the recognition of some organizations as expert. The continuing relationship between the science experts and their increasingly literate media representatives would tend to promote the credibility of the organization and to push the media representative toward "inner club" status.

Presence of cues or pointers in the NC sample was significant for all three sampled periods. There were no significant differences between the two samples in bias in stories or in number of attributions.

High-Tech Script

Utilization of a rotated factor matrix for the two sample populations helped clarify structural concepts. Indeed, there appears to be a "high-tech script" within the content of science and technology articles (as the author claimed in a previous publication), but the primary factor or schema in that script seems to contain two branches, one of which clearly involves conflict, indicating change, and one which does not include conflict and appears to represent more standard, traditional science coverage.

(Table 2 About Here.)

Thus the two branches of the primary factor from Table 2 are labelled "change" and "standard" (see illustration). Significant elements that make up the first factor in the Tulsa sample are theme, anecdote, and local organizations, which would appear to be the most important elements seasoned science writers would emphasize where local conditions merited some increased attention to technology but where there had not been sufficient infrastructural change to fuel conflict. In contrast, the NC sample, labelled "change schema" highlights as significant new information, conflict, theory, and actions. Thus cognitive depth and breadth as operationalized by theoretical explanation and descriptions of new behavioral options, appear in NC articles along with items denoting conflict, which would appear to be a pattern denoting change.

The high-tech script label is continued through Table 2, where the secondary factor for a "standard" science story would contain significant elements of new information, theory, action, and textual cues; the change secondary factor shows as significant example and personification. The third major factor, then, for standard stories would be theme, metaphor, and example, and for change stories, metaphor, combination terms and local organizations.

Language terms applied to these three factors are inference, presupposition and nonliteral comprehension; some might label them explanation, extension and elaboration (see illustration). An umbrella label is offered for this process: the Phoenix Principle. The presence of metaphor in the third factor for both standard and change schemas seems important, in that what may have been creation of new themes for a standard area became creation of new organizations and ways of life for a change area.

The second factor--presupposition--provides information on the precursor items for visualization: theory and action are necessary in order to visualize new themes, for the standard route; for the change route, example and personification are important to be able to "see" change in local organizations. There were four additional factors but they contributed little to understanding because each emphasized an isolated element.

Increased coverage of science and technology within local organizations, for both samples, seemed to be related to reiteration of theme, new information, explanations of theory, and number of attributions (Table 3); where the two samples differed, however, was that the NC coverage linked local organizations significantly with lengthier articles, more prominent folio placement, use of metaphor, simile, and most importantly, conflict and combination terms. The percentages and Chi-square values in Table 4 show gradual increases in the NC sample of local organizations.

(Tables 3 and 4 About Here.)

Conflict, combination terms, attribution and theory are important in science reportage and can be linked conceptually, as shown in Tables 5 through 8. Table 5 especially shows the relationship of conflict to science coverage; there are significant increases in conflict for the NC sample.

(Tables 5,6,7, And 8 About Here.)

Tables 9 and 10 demonstrate the interrelatedness of theory (depth) and new behavior options (breadth) with other language items. The third year of sampling shows major significant items for both NC and Tulsa.

(Tables 9 and 10 About Here.)

Table 11 demonstrates embeddedness of all language items. If density in text may be considered as representing changes in the supporting environment, then there are clear differences in the third sample year for the NC sample. Significant correlations here appear to support the implications from the factor analysis.

(Table 11 About Here.)

CONCLUSION

This study would suggest that there are two routes to news coverage of science and technology, each with three major factors. One route emphasizes conflict along with theory and action descriptions and in some fashion creates visualization through language, possibly metaphor. The other route emphasizes emergence of new thematic material but in absence of conflict.

Table 1: Means, Standard Distribution, Chi-Square Values For Selected Language Items For Three Sample Years, N.C. And Tulsa

	North Carolina 1978 (N=69)		Tulsa 1976 (N=92)				
	M.	St. Dev.	M.	St. Dev.	D.F.	Value	Prob.
SQ. Inches	21.43	15.81	22.76	31.17	46	52.46	0.238
Folio ID	2.86	0.74	2.69	1.06	4	14.27	**0.006
No. Paragraphs	13.30	5.79	16.90	10.08	32	33.00	0.418
Theme	23.88	14.18	4.27	2.41	10	24.29	**0.007
New Information	17.35	19.01	0.98	1.52	9	27.39	**0.001
Metaphor	2.73	7.44	0.07	0.30	3	2.64	0.449
Simile	0.99	2.77	0.41	0.86	4	12.12	*0.016
Analogy	1.57	6.48	0.34	0.96	5	12.09	*0.033
Example	4.79	10.28	0.78	1.08	5	5.71	0.335
Anecdote	2.00	9.51	0.35	0.81	5	9.82	0.080
Personification	3.98	8.77	0.08	0.31	4	5.03	0.284
Conflict	15.06	26.92	3.39	4.31	16	40.98	**0.001
Combination Terms	11.61	18.89	1.25	3.21	11	9.59	0.56
Theory Explained	7.28	9.13	0.86	1.05	5	1.99	0.85
Action Described	5.37	14.05	0.57	1.17	7	11.58	0.11
Local Organizations	0.57	1.00	0.29	1.05	6	14.21	*0.027
Cues Or Pointers	0.55	0.96	0.08	0.35	2	13.75	**0.001
Local By-Line Or Newswire	2.57	1.56	2.90	2.02	6	26.71	**0.000
Dateline	3.13	2.20	3.58	2.19	8	58.35	**0.000
Pos/Neg/Neut.	1.85	0.71	1.67	0.69	2	5.04	0.08
No. Attributed Sources	1.86	1.63	3.58	3.14	12	20.65	0.056

** $p < .01$

* $p < .05$

	North Carolina 1982 (N=36)		Tulsa 1980 (N=73)				
	M.	St. Dev.	M.	St. Dev.	D.F.	Value	Prob.
SQ, Inches	21.11	14.79	10.91	9.32	34	55.83	**0.011
Folio ID	2.94	0.79	3.32	0.80	3	13.32	**0.004
No. Paragraphs	17.16	13.62	17.69	12.83	31	27.40	0.652
Theme	24.02	18.48	2.87	1.81	11	11.81	0.378
New Information	14.40	13.94	5.64	3.46	14	48.65	**0.000
Metaphor	1.40	3.24	0.24	0.59	3	5.84	0.119
Simile	0.80	2.16	0.13	0.45	2	0.40	0.814
Analogy	1.18	2.90	0.68	1.17	5	10.59	0.06
Example	4.02	7.37	2.17	3.16	10	26.60	**0.003
Anecdote	0.69	2.20	0.98	2.16	8	8.34	0.39
Personification	10.61	18.35	0.34	0.91	4	5.22	0.26
Conflict	15.58	30.55	0.82	1.73	11	10.02	0.52
Combination Terms	15.61	25.35	2.46	2.76	12	28.36	**0.005
Theory Explained	14.80	17.19	1.58	1.67	7	12.66	0.081
Action Described	2.74	5.67	1.79	2.73	8	26.30	**0.001
Local Organizations	0.77	1.37	0.36	0.87	5	5.13	0.399
Cues Or Pointers	0.13	0.35	1.10	1.95	7	15.35	*0.032
Local By-Line Or Newswire	3.11	1.76	2.60	1.67	7	13.14	0.069
Dateline	3.16	2.17	4.76	2.40	9	33.89	**0.000
Pos/Neg/Neut.	1.72	0.56	1.79	0.72	2	0.64	0.725
No. Attributed Sources	2.08	1.84	2.12	1.64	9	8.02	0.532

** $p < .01$

* $p < .05$

	North Carolina 1986 (N=59)		Tulsa 1984 (N=88)				
	M.	St. Dev.	M.	St. Dev.	D.F.	Value	Prob.
SQ. Inches	37.28	24.00	15.40	10.45	46	84.84	**0.000
Folio ID	0.52	1.08	3.04	0.93	4	9.58	*0.048
No. Paragraphs	14.86	10.17	17.09	8.79	35	42.85	0.170
Theme	31.14	31.05	3.12	5.71	14	18.10	0.202
New Information	31.65	28.12	7.65	7.13	22	28.63	0.15
Metaphor	5.93	11.37	0.35	1.22	5	5.15	0.397
Simile	2.09	5.12	0.23	0.62	3	1.77	0.621
Analogy	2.13	13.12	0.31	0.76	4	6.32	0.176
Example	6.03	16.40	1.52	2.40	8	16.78	*0.032
Anecdote	4.62	23.00	0.63	3.32	4	3.55	0.470
Personification	11.71	24.14	0.38	0.98	5	7.10	0.213
Conflict	47.23	62.22	2.86	4.14	19	21.12	0.330
Combination Terms	29.64	48.44	3.32	4.66	17	25.45	0.085
Theory Explained	18.73	18.43	2.69	2.55	10	17.61	0.062
Action Described	5.42	10.10	2.62	2.79	11	36.25	**0.000
Local Organizations	1.10	2.21	0.55	2.26	7	8.93	0.257
Cues Or Pointers	0.52	1.08	1.32	1.60	6	26.33	**0.000
Local By-Line Or Newswire	2.42	1.41	2.14	1.64	9	65.08	**0.000
Dateline	2.84	1.92	4.79	2.19	9	62.31	**0.000
Pos/Neg/Neut.	1.66	0.68	1.63	0.80	3	5.39	0.145
No. Attributed Sources	2.32	1.90	2.65	2.07	11	14.96	0.365

** $p < .01$

* $p < .05$

Table 2 : Rotated Factor Pattern (Standard Coefficients) For Selected Language Items Over Three Sample Years, NC and Tulsa Samples

	FACTOR 1		FACTOR 2		FACTOR 3		FACTOR 4	
THEME	0.20235	0.55579	0.04850	-0.05048	0.22744	0.63344	0.13845	0.05478
MEWINFO	0.84640	0.34378	-0.05466	0.50059	0.09846	0.29052	0.09163	-0.10909
META	-0.12780	0.06042	0.02910	-0.07307	0.76054	0.92708	0.01204	-0.15592
SIM	-0.13402	0.08853	-0.04804	-0.10980	0.05902	0.04967	-0.03562	0.12617
ANA	0.03667	0.01771	-0.05184	0.02604	-0.18534	0.02719	0.08516	-0.01924
EXAM	-0.06199	-0.18512	0.86984	0.27800	0.00917	0.67125	-0.11013	0.06133
ANEC	0.15542	0.82119	0.07972	-0.00377	0.34770	0.05923	0.25242	-0.03714
PERS	-0.02315	0.01579	0.94121	0.10043	-0.02215	-0.00057	-0.05650	-0.07078
CONF	0.58890	-0.03564	0.39145	0.34005	-0.01292	-0.12692	0.11746	0.75496
COMB	0.18891	-0.09872	0.02251	0.23076	0.53945	-0.00583	-0.16141	0.13099
THEORY	0.75014	0.28032	-0.10510	0.64468	0.07518	-0.04088	-0.04786	0.22352
ACTION	0.63393	-0.08342	-0.00191	0.68157	-0.41333	-0.01735	-0.20410	0.03121
LORG	0.28565	0.87502	-0.13219	-0.02786	0.62249	-0.05863	-0.35683	0.02280
CUES	0.17387	-0.10617	0.07779	0.76811	0.16133	0.03427	0.23624	0.13945
BYL	0.01655	-0.22466	-0.12128	-0.04626	0.03226	0.20092	0.79047	0.23790
DATEL	0.03315	-0.13285	-0.04074	0.47256	-0.16761	0.06069	0.78546	-0.21113
DIR	0.07658	0.44932	-0.09870	-0.11388	-0.15354	-0.03250	0.03199	0.24411
NOATT	0.13522	0.11567	-0.03652	0.01259	0.21247	-0.12593	-0.04201	0.65010
TOICS	0.06558	0.01042	-0.00124	0.07909	0.07248	-0.10936	0.00262	-0.57065
CONC	-0.05857	0.23042	-0.00903	0.40920	0.05092	-0.19439	-0.06239	-0.36387

	FACTOR 5		FACTOR 6		FACTOR 7	
THEME	0.68190	-0.15146	-0.02305	-0.09292	-0.17963	0.12422
MEWINFO	-0.16800	0.10335	0.01688	0.30062	0.19686	-0.15555
META	0.18166	-0.05930	0.24819	-0.01835	0.17911	0.05012
SIM	0.72260	0.25916	0.26072	-0.08323	0.05451	0.82935
ANA	-0.01954	0.63740	0.23720	0.10997	-0.20011	0.07929
EXAM	0.15053	0.31046	-0.09588	-0.16922	0.04644	-0.06353
ANEC	0.21884	0.20394	-0.20432	-0.02400	-0.21174	-0.02452
PERS	-0.14742	0.71874	0.06232	-0.04324	0.08666	0.17077
CONF	-0.05013	-0.16866	0.09453	-0.19139	-0.22671	0.04505
COMB	-0.38588	0.10580	0.02571	0.72423	-0.08413	-0.00856
THEORY	0.09482	-0.20110	-0.03810	0.15611	-0.04779	0.20011
ACTION	0.35637	0.11260	0.01847	0.16474	0.19593	-0.05830
LORG	0.12060	-0.10183	-0.10403	0.10744	0.01432	0.02374
CUES	-0.02548	0.16956	0.16639	0.03626	0.77166	-0.06653
BYL	-0.08275	0.00683	-0.08693	-0.64924	0.19490	0.00048
DATEL	0.14787	-0.43009	0.01915	-0.23711	0.07592	0.09220
DIR	-0.22067	0.05397	0.13348	-0.27812	-0.31295	-0.51792
NOATT	0.00977	0.29247	0.27754	-0.01655	-0.47014	0.14526
TOPICS	0.00381	0.23678	0.78049	-0.16035	0.21707	0.21440
CONC	0.30962	0.09736	0.77279	-0.36147	-0.15540	-0.10348

Illustration: The Phoenix Principle

High-Tech Script (Change)

- New information
- Conflict
- Theory
- Action
    - Example
    - Personification
        - Metaphor
        - Combination Terms
        - Local Organizations

- Inference
    - Presupposition
        - Nonliteral Comprehension
- (Explanation)
    - (Extension)
        - (Elaboration)

Factor Variance:

- 2.42
    - 1.87
        - 1.76

High-Tech Script (Standard)

- Theme
- Anecdote
- Local Organizations
    - New Information
    - Theory
    - Action
    - Cues
        - Theme
        - Metaphor
        - Example

- Inference
    - Presupposition
        - Nonliteral Com.

- 3.37
    - 2.23
        - 1.77

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Table 3: Correlation of Local Organizations in Technology Articles With Other Items, Both Samples

	North Carolina (N=164)	Prob.	Tulsa (N=254)	Prob.
SQ. Inches	0.3044	**0.0001	0.0047	0.9402
Page Article On	-0.1122	0.1524	-0.1835	**0.0033
No. Paragraphs	0.4375	**0..0001	0.0975	0.1209
Times Theme Mentioned	0.3581	**0.0001	0.4908	**0.0001
New Information	0.3838	**0.0001	0.3315	**0.0001
Metaphor	0.3695	**0.0001	0.0969	0.1234
Simile	0.1541	*0.0487	0.0037	0.9522
Analogy	-0.0393	0.6168	-0.0276	0.6605
Example	0.1456	0.0628	-0.0418	0.5071
Anecdote	0.2391	**0.0020	0.6491	**0.0001
Personification	0.1168	0.8820	-0.0681	0.2791
Conflict Terms	0.1897	*0.0149	-0.0147	0.8154
Combined Words	0.4598	**0.0001	0.0375	0.5513
Times Theory Explained	0.3923	**0.0001	0.3249	**0.0001
Actions Explained	0.1483	0.0580	-0.0208	0.7410
Cues Or Pointers	0.0086	0.9130	-0.0226	0.7192
Local By-Line Or Newswire	-0.2225	*0.0042	-0.1867	**0.0028
Dateline	-0.3441	**0.0001	-0.0563	0.3711
Direction Article	-0.0834	0.2879	0.2140	**0.0006
No. Attributed Sources	0.1597	*0.0410	0.1288	*0.0402
Main Topic	0.0125	0.8731	-0.1017	0.1059
Main Concept	0.0046	0.9529	0.0769	0.2215

* p < .05; **p < .01

Table 4: Percentages and Significance for Local Organizations in Copy by First, Second, and Third Years of Samples

North Carolina (N=164)

	First (1976)	Second (1980)	Third (1984)	R
None used	68.66	67.57	66.10	0.13114
One time	19.40	18.92	15.25	
Two times	8.96	5.41	6.78	
Three times	1.49	5.41	1.69	
Four times	1.49	0.00	5.08	
Five times	0.00	0.00	3.39	

$p < 0.0942$

Tulsa (N=254)

	First (1978)	Second (1982)	Third (1986)	R
None used	88.04	79.45	80.68	0.07324
One time	6.52	12.33	10.23	
Two times	1.09	1.37	4.55	
Three times	1.09	5.48	0.00	
Four times	1.09	1.37	3.41	
Five times	1.09	0.00	0.00	

$p < 0.2448$

Table 5: Percentages and Significance for Conflict Items by First, Second and Third Years of Samples

North Carolina (N=164)

	First (1976)	Second (1980)	Third (1984)	R
None used	76.12	67.57	52.54	0.22808
One time	5.97	5.41	11.85	
Second times	4.48	2.70	5.08	
Third times	5.97	5.41	3.39	
Four times	1.49	2.70	3.39	
Five times	1.49	2.70	3.39	
Six times	0.00	5.41	1.68	

$p < 0.0033$*

* significance $p < 0.01$

Tulsa (N=254)

	First (1978)	Second (1982)	Third (1986)	R
None used	29.35	71.23	40.91	0.05485
One time	14.13	10.96	10.23	
Two times	15.22	5.48	15.91	
Three times	6.52	4.16	6.82	
Four times	6.02	1.37	2.27	
Five times	5.43	2.74	5.68	
Six times	5.43	1.37	2.27	

$p < 0.3840$

Table 6: Percentages and Significance for Combined Terms by First, Second and Third Years of Samples

North Carolina (N=164)

	First (1976)	Second (1980)	Third (1984)	R
None used	79.10	59.46	54.24	0.22469
One time	5.97	8.11	11.86	
Two times	5.97	13.51	6.28	
Three times	2.99	2.70	6.78	
Four times	4.48	2.70	3.39	
Five times	0.00	0.00	1.69	
Six times	1.49	5.41	3.39	
Nine times	2.70	3.39	0.00	

$p < 0.0038$*

Tulsa (N=254)

	First (1978)	Second (1982)	Third (1986)	R
None used	68.48	19.18	27.27	0.22896
One time	15.22	35.62	17.05	
Two times	4.35	10.96	13.64	
Three times	1.09	5.48	11.36	
Four times	2.17	12.33	10.23	
Five times	0.00	4.11	6.82	
Six times	2.17	4.11	0.00	
Nine times	1.09	0.00	3.41	

$p < 0.0002$*

*Both significant $p < 0.01$

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Table 7: Percentages and Significance for Number of Attributions in Copy by First, Second and Third Years of Samples

North Carolina (N=164)

	First (1976)	Second (1980)	Third (1984)	R
None used	7.46	8.11	0.00	0.21632
One time	41.79	32.43	28.81	
Two times	26.87	29.73	27.12	
Three times	13.43	16.22	15.25	
Four times	8.96	5.41	15.25	
Five times	1.49	2.70	3.39	

$p < 0.0054$*

Significance $p < 0.01$

Tulsa (N=254)

	First (1978)	Second (1982)	Third (1986)	R
None used	3.26	5.48	2.27	0.11759
One time	28.26	41.10	29.55	
Two times	25.00	24.66	29.55	
Three times	15.22	10.96	17.05	
Four times	3.26	9.59	5.68	
Five times	4.35	2.74	7.95	

$p < 0.0613$

Table 8: Percentages and Significance for Times Theory Explained by First, Second and Third Years of Samples

North Carolina (N=164)

	First (1976)	Second (1980)	Third (1984)	R
None used	50.75	43.24	37.29	0.28450
One time	28.36	10.80	10.17	
Two times	13.43	13.51	15.25	
Three times	5.97	16.22	13.56	
Four times	1.49	5.41	11.86	
Five times	0.00	5.41	1.69	
Six times	0.00	2.90	1.69	

$p < 0.0002$*

Tulsa (N=254)

	First (1978)	Second (1982)	Third (1986)	R
None used	45.65%	31.51%	17.05%	0.37666
One time	32.61%	30.14%	29.55%	
Two times	15.22%	15.07%	11.36%	
Third times	3.26%	4.11%	7.95%	
Four times	2.17%	2.33%	14.77%	
Five times	0.00%	5.48%	3.41%	
Six times	1.09%	0.00%	4.55%	

$p < 0.0001$*

* Both significant $p < 0.01$

Table 9: Correlation of Theory (Depth) with Selected Redundancy Items For Three Sampled Years, North Carolina (NC) and Tulsa (T) Samples

	1978(NC) (N=69)	1976(T) (N=92)	1982(NC) (N=36)	1980(T) (N=73)	1986(NC) (N=59)	1984(T) (N=88)
Theme	-0.022	0.130	*0.375	0.060	**0.428	0.497
New Information	0.127	-0.014	**0.409	0.070	**0.404	**0.401
Metaphor	0.223	0.168	-0.181	0.172	-0.078	**0.413
Simile	-0.104	0.059	-0.242	0.112	-0.234	**0.305
Analogy	-0.039	0.012	0.050	0.039	**0.365	0.079
Example	0.067	*0.215	-0.129	0.045	0.143	0.071
Anecdote	-0.118	0.080	-0.217	-0.041	**0.362	**0.349
Personification	0.199	*0.263	-0.069	0.065	**0.352	-0.143
Conflict	-0.108	**0.273	-0.223	0.366	**0.557	**0.433
Combination Labels	-0.001	**0.347	0.040	0.176	**0.441	0.148
Behavioral Options (Actions)	0.139	-0.000	0.266	-0.000	0.217	**0.305

* Items .where p =< .05

**Items where p=< .01

Table 10: Correlation of Behavioral Options Or Actions (Breadth) With Selected Redundancy Items For Three Sampled Years, North Carolina (NC) and Tulsa (T) Samples

	1978 (NC) (N=69)	1976 (T) (N=92)	1982 (NC) (N=36)	1980(T) (N=73)	1986 (NC) (N=59)	1984(T) (N=88)
Theme	0.161	*0.225	0.147	0.031	**0.393	-0.063
Mew Information	**0.050	-0.149	-0.023	**0.286	0.174	**0.310
Metaphor	-0.044	-0.062	0.035	0.142	0.130	-0.007
Simile	-0.050	0.141	-0.013	0.090	0.113	**0.301
Analogy	-0.084	-0.004	-0.113	*0.234	**0.382	-0.034
Example	-0.102	**0.415	0.142	**0.339	0.017	0.140
Anecdote	-0.033	**0.386	0.187	0.156	**0.421	0.156
Personification	0.166	0.040	-0.246	0.183	*0.298	0.023
Conflict	-0.101	**0.266	-0.085	*0.255	**0.357	0.179
Combination	0.089	0.187	-0.102	-0.040	**0.394	0.171
Theory	0.139	**0.000	0.266	**-0.000	0.217	**0.305

* Items where p =< .05

** Items where p =< .01

Table 11: Correlation of Theme, New Information, Analogy, Anecdote, Personification, Conflict and Combination Terms with Other Independent Variables

	1978(NC) (N=69)	1976(T) (N=92)	1982(NC) (N=36)	1980(T) (N=73)	1986(NC) (N=59)	1984(T) (N=88)
Theme						
New Information	0.307	-0.118	0.019	0.001	**0.626	**0.459
Metaphor	-0.035	-0.132	-0.077	0.054	-0.950	**0.517
Simile	-0.147	**0.281	*0.332	0.139	-0.087	0.001
Analogy	-0.125	0.090	-0.057	0.221	**0.861	-0.022
Example	-0.267	*0.231	-0.076	-0.058	0.211	-0.060
Anecdote	0.399	0.111	0.297	0.147	**0.833	**0.847
Personification	-0.117	-0.087	-0.275	0.142	**0.586	-0.090
Conflict	0.274	0.197	-0.216	0.010	**0.570	0.203
Combinations	-0.005	0.111	-0.335	-0.112	**0.524	-0.023
Theory	-0.022	0.130	*0.373	0.060	**0.428	**0.497
Actions	0.161	*0.225	0.147	0.031	**0.393	-0.063
New Information						
Metaphor	0.094	0.025	0.124	0.130	-0.082	**0.517
Simile	-0.069	-0.079	-0.183	0.227	0.045	0.131
Analogy	0.164	0.054	0.057	**0.329	**0.640	0.045
Example	-0.111	-0.014	-0.157	*0.238	0.071	0.086
Anecdote	-0.052	-0.164	-0.115	0.177	**0.540	**0.542

	1978(NC) (N=69)	1976(T) (N=92)	1982(NC) (N=36)	1980(T) (N=73)	1986(NC) (N=59)	1984(T) (N=88)
Personification	-0.124	-0.088	0.273	**0.388	**0.489	0.007
Conflict	-0.130	0.094	-0.070	0.197	**0.376	0.103
Combinations	0.119	-0.021	*0.333	0.208	**0.428	*0.250
Theory	0.127	-0.014	*0.409	0.070	**0.404	**0.401
Actions	0.050	-0.149	-0.023	*0.286	0.174	**0.310
Analogy						
Example	-0.055	-0.073	-0.023	**0.350	-0.057	-0.016
Anecdote	-0.022	-0.062	-0.131	**0.552	**0.931	-0.026
Personification	0.056	0.007	-0.103	**0.655	**0.656	-0.012
Conflict	-0.074	-0.030	-0.030	0.196	**0.472	0.064
Combinations	0.028	0.045	-0.041	-0.060	**0.623	**0.333
Theory	-0.039	0.012	0.050	0.039	**0.363	0.079
Behavioral Options	-0.084	-0.004	-0.113	*0.234	**0.382	-0.034
Anecdote						
Personification	-0.041	0.005	-0.053	**0.457	**0.630	-0.012
Conflict	**0.447	0.077	-0.115	0.018	**0.524	0.064
Combinations	-0.078	*0.227	-0.100	-0.017	**0.635	**0.333
Theory	-0.118	0.080	-0.217	-0.041	**0.362	0.079
Behavioral Options	-0.033	**0.386	0.187	0.156	**0.421	-0.034

	1978(NC) (N=69)	1976(T) (N=92)	1982(NC) (N=36)	1980(T) (N=73)	1986(NC) (N=59)	1984(T) (N=88)
Personification						
Conflict	-0.235	0.078	-0.175	0.283	**0.591	-0.102
Combinations	0.068	**0.320	**0.564	-0.145	**0.774	-0.077
Theory	0.199	*0.263	-0.068	0.065	**0.352	-0.143
Behavioral Options	0.166	0.040	-0.246	0.183	*0.298	0.023
Conflict Words						
Combinations	-0.173	*0.253	-0.016	-0.063	**0.559	0.081
Theory	-0.108	**0.273	-0.223	0.036	**0.557	**0.433
Behavioral Options	-0.101	*0.266	-0.085	*0.255	**0.359	0.179
Combination Terms						
Theory	-0.001	**0.347	0.040	0.176	**0.441	0.148
Behavioral Options	0.089	0.187	-0.102	-0.040	**0.394	0.171

* Items where $p <= .05$

**Items where $p <= .01$

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Persons with Disabilities and Mass Media: Literature Review

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DISABILITIES MASS MEDIA

ABSTRACT

This paper is a review of the literature on the relationship of persons with disabilities to the mass media. The paper examines how each medium portrays persons with disabilities, the impact of mass media on persons with disabilities behavior and the use of the mass media to change attitudes toward persons with disabilities.

Biographical Sketch

Alice A. Tait is the mother of Joseph Conrad Smith, II, and an award winning associate professor of communication at Central Michigan University, Mt. Pleasant, Michigan. In 1989 Central Michigan University awarded her a Teaching Fellowship and in 1990 a Teaching Excellence Award. Butler University, Indianapolis, Indiana awarded her a 1991-92 Visiting African-American Scholar Position. The Butler award allowed her to teach one course per semester and pursue research. She is Co-chairperson of the Placement Service for the Broadcast Education Association, 1989-present, and Chairperson of the Communication Division of the Michigan Academy of Arts and Sciences and for four years directed Central Michigan University's High School Journalism Workshop. Tait graduated from Wayne State University in 1969 with a B.A. in speech and received her M.A. in mass communications and communications theory from Wayne State University in 1974. She received her Ph.D. in mass communication research and theory, and a cognate in interpersonal and public communication from Bowling Green State University in 1985.

DISABILITIES

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For most Americans, television viewing is a primary leisure -time activity. According to the Roper Organization, the average American watches television more than three hours daily. A. C. Neilsen reports television sets are turned on an average of more than seven hours daily. In addition to serving as a form of relaxation, television is also a vehicle for news. Two-thirds of all Americans rely more on television for their news than any other medium; one-half of all Americans rank television as the most believable news source.

Evidence from a variety of studies suggests a close relationship between the relative emphasis the media give to different issues and the relative importance the public places on them. This ability to influence what people think has been labeled the agenda-setting function of the media. Lazarsfeld and Merton suggested that being covered by the press enhances the status or perceived importance of the person or event covered. The effect has been called "status conferral."

Meaning theory describes the mass media as an important part of the processes of communication in modern society. The media play a significant role in shaping and stabilizing the meanings experienced for the symbols of language. These meanings in turn shape behaviors towards those aspects of the social and physical order that are labeled by words. According to this theory, a medium like television can show us how to interpret such labels as "woman," "black people," "sexual attractiveness," and "disabilities." Television makes an indelible impression because of its visual impact.

The modeling theory postulates that exposure to modeled behavior through the mass media can provide an individual with a learning source. From that source, the individual may adopt forms of action and make them a more or less permanent part of his or her coping mechanism.

Programming that best utilizes role modeling is designed to promote what is known as "pro-social behavior," or behavior that allows the individual to function within the framework of the dominant society. The three areas of pro-social behavior are therapeutic effects, developing self-control and sharing and helping. Research in this area has focused primarily on children, showing how their exposure to desirable behaviors enables them to reproduce those behaviors.

According to the social comparison theory, a person tends to evaluate his or her own opinions, abilities and behaviors by comparing them with those of other people. In some cases these are people seen, heard, or read about in the media. In this way, the media help us to know who and what we are as well as how we measure up to others.

Largely because of this important influence exerted by the mass media, many groups pressure the various media to provide models that will have a positive socializing effect on their members. Thus, for example, women's groups insist that portrayals of women in the media not be limited to traditional roles. They ask that women be shown as doctors as well as nurses, as engineers as well as teachers, as executives as well as secretaries. Many minority groups have similar concerns. In addition to wanting the media to portray minority persons in such a manner as to reduce rather than increase stereotyping by people outside the group, they also want portrayals that will help young minority persons to develop positive self-images.

To the degree that the mass media may influence the shaping of stereotypical images, they also have the power to change such stereotypes. In one study examining children's perceptions of sex roles, children were shown commercials specially made for a commercial fruit drink. One set of commercials depicted women in such conventional female occupations as models, file clerks, and telephone operators. A second set of commercials portrayed women in such traditional male jobs as butchers, welders, and druggists. Girls who saw the women in male-dominated jobs were more likely to aspire to these occupations than those who saw women in more traditional roles.

Cultivation analysis is directly related to socialization. Developed by George Gerbner and his colleagues at the University of Pennsylvania, cultivation analysis suggests that heavy viewing of television "cultivates" perceptions of reality consistent with the view of the world as presented in the television programs. The world of television, for example, has a preponderance of males; in an average season, about two-thirds to three-quarters of all leading characters are men. In portraying occupations, television overemphasizes the professions and overrepresents the proportion of workers engaged in law enforcement and in the detection of crime. Finally, the television world is a violent one--70 to 80% of all programs usually contain at least one instance of violence.

Because these theories suggest an influence of the media on society, an examination of the media's relationship to persons with disabilities is explained in this paper. I open with a discussion of African Americans and their impact on persons with disabilities, and follow with a discussion of how one should refer to persons with disabilities. The remainder of the paper discusses each medium and how that medium depicts persons with disabilities. I close with a discussion and synthesis.

The African American civil rights movement impacted and paved the way for many sectors of the American society to demand freedom, recognition, and acceptance. Senior citizens, students, homosexuals, women, and persons with disabilities are among some of the groups.

In 1978, Wall describes denouncement by social scientists of the negative stereotyped media portrayals of Italians, Hispanics, African Americans, and women. He points out the media's similar portrayal of persons with mental illness. Thompson (1980) commended authors for applying the African American formula to disabled persons. Books about disabled persons should speak of their accomplishments. Presenting these accomplishments assists in creating a positive self-image. In 1981, Donaldson objected to disabled persons portrayed in prime time television as personifications of evil, objects of pity and charity, sick, and eternal children just as African Americans protested the portrayal of blacks as "Uncle Tom" or "Steppin Fetchit."

Redefining Themselves

Controversy surrounds the appropriate terms for persons with disabilities. "Gifted," "physically challenged," and "exceptional" are generally considered positive terms. "Handicapped," "mentally retarded," "learning disabled," "crippled," and "emotionally disturbed" are viewed as negative terms.

Longman, (1987) accused movies, television and print of frequently presenting images reinforcing prejudice against people with disabilities. He lists three common misconceptions about people with handicaps are: they are being punished, they are embittered by their fate, and they resent the non-disabled.

Print

In 1976, there appeared to be an increased number of television programs, and magazine and newspaper articles covering disabilities. Byrd, Byrd, and Allen categorized 256 programs.

In 1978, Walls cited a 1900-1959 survey of the Reader's Guide to Periodical Literature that showed an increase in articles related to mental illness, psychology, psychiatry and related subjects.

In 1977, Byrd selected fifteen magazines having the greatest circulation to determine the disabilities covered: Reader's Digest, National Geographic, Better Homes and Gardens, McCall's, Ladies Home Journal, Good Housekeeping, Redbook, Time, Newsweek, and Senior Scholastic.

Magazines covered drug abuse more than any other disability, followed by alcoholism, heart disease, and mental illness. The two news magazines were leaders in the frequency of articles covering disability. Of 59 articles listed in the ten magazines surveyed, a mean of 5.9 articles for each magazine covered disabilities.

Thompson (1980) noted a gradual change in coverage of people with disabilities in the book publishing industry. Although books about the disabled increased, Thompson maintained the message was uniform: to succeed in the able-bodied world, a person had to be a genius.

My Second Twenty Years by Richard Brickner is an example. This critically acclaimed autobiography so extensively speaks of the author's sexual success that it is difficult not to assume that most handicapped men have ample sexual opportunities. The truth is that sexual experiences are no more or no less ample than in the able-bodied world.

In her autobiography, Emma Hayhurst tells of her battle to overcome polio to achieve success in business, art, and life.

Biklen (1986) described newspaper coverage of the Baby Jane Doe and Elizabeth Bouvia cases. Baby Jane Doe was an infant born with several disabling conditions, including hydrocephalus and spina bifida. Elizabeth Bouvia, had severe cerebral palsy and required assistance in order to live. She asked a hospital to administer pain-killing drugs to help her endure her attempted suicide through starvation.

In these and similar stories, Biklen accused newspapers of describing handicapped persons from a traditional, debilitating frame rather than focusing on discrimination, civil rights, and political organizing issues. Newspapers characterized both subjects with despair, pain, sorrow, desperation, and defeat.

Reporters failed to cover objectively and comprehensively all angles in both stories. Disagreements among the doctors as to whether Baby Jane Doe should be treated were unpublished. Newspapers incorrectly interpreted a doctor's prognosis. For both Bouvia and Doe, newspapers failed to report services available to both individuals and Bouvia's experience with the unavailability of competent aides.

Newspapers failed to report on the development of national policies affecting severely handicapped persons. In both cases newspapers failed to relate these cases to similar cases. The press, concluded Biklen, failed in its coverage of these two cases because of a narrow perspective.

In 1982, Bogdan, Biklen, et al. accused newspapers of subtly linking disability with violence found in coverage of murders and other violent crimes. The researchers cite the following headline examples: "Crippled man charged in bomb attack", "Police arrest amputee in slaying of doctor", "Suspect has low IQ, two psychologists testify"

Johnson (1986) offered a list of terms journalists should know. Orjasaeter (1986) praised the increase since 1976 in the number of photographic picture books about handicapped children. Non-disabled children who read them are usually as fascinated by this documentary material as by fiction. It acquaints them with handicapped children in their daily life. Such books are often excellent for handicapped children as well; they can look at pictures of and read about children who look like themselves and who have to struggle with similar frustrations.

Especially interesting are picture books by authors or artists who are themselves parents or siblings of handicapped children.

In 1988, Johnson applauded the print media for coverage of Gallaudet University's shutdown in Washington D.C. She credited the reporters for covering the protest as straight news, omitting the common soft human-interest approach. However, she expressed little faith in the press to continue coverage of the national campaign to obtain more civil rights and opportunities for the nation's millions of deaf people. Newspapers also ignored presidential candidates who did not sign pledges to have the debates interpreted by sign-language interpreters. A report by the Commission on Education of the Deaf submitted to the Senate Labor and Human Resources Committee's subcommittee on the handicapped did make the news because of its timing with the Gallaudet protest.

Krossel (1988) reinforced Johnson's observation. The press coverage of Rick Hansen who, injured in an automobile accident, used a wheelchair to circle the globe, and Terry Fox, who attempted to run across the country on his one leg and an artificial limb, failed to transcend the hoopla. Some exceptions included a Canadian columnist who documented how little the federal government spent on medical research; The Region Leader-Post described the difficulties a person with impaired mobility would find getting into major buildings in Regina, Saskatchewan, and highlighted gaps in government services for disabled persons; and both the Washington Post and Toronto's Globe and Mail argued Hansen and Jim Dickerson, a blind man attempting to navigate the Atlantic, should abandon their heroic endeavors as their efforts do not benefit the disabled.

Johnson (1988) criticized the press for careless language usage. The most irritating was the description of an individual as a "victim" of a particular disability. She noted that even though the latest edition of The Associated Press Stylebook forbids the use of the term "wheelchair-bound," she continued to notice repeated use of the term.

The Detroit Free Press is one of a growing number of newspapers in North America with a regular column on disability. Jim Neubacker, who has multiple sclerosis and uses a wheelchair, writes the column.

Comics also fail the disability portraying test. Disability, physical deformity and criminal behavior are reflected in Dick Tracy's rogues as "Ugly Christine," "Mumbles," "Bee Bee Eyes," "Shakey," and "Mrs. Prune Face." Comic characters Batman and Robin are accused of the same disregards.

From 1976 to 1980 print media increased coverage of persons with disabilities. However, increased coverage portrayed those persons successful at dealing with disabilities as geniuses. Moreover, coverage of persons with disabilities tended to lack completeness, comprehensiveness, and broadness. The print media tended to use the soft human interest approach and negate coverage of national campaigns to obtain more civil rights and opportunities for persons with disabilities.

Film

Film is both criticized and praised for portraying persons with disabilities. Horror films disturbed critics the most because they have often portrayed disabled persons as freaks and associated disabilities with murder, violence, and danger.

Critics have credited war films as primary innovators in changing the depictions of disabled persons. Some current war films are cited for realistically portraying disabled veteran's feelings, casting disabled persons, discussing sex, showing the relationship between the disabled and society, and showing the rehabilitative process. A few earlier war films failed to address social and economic issues. Other films generalized a variety of disabilities including mental illness, alcoholism and drug addiction. One author criticized a film for denying the value of the lives of people with disabilities.

In 1932, MGM produced the film Freaks, using actual disabled characters from the Barnum and Bailey sideshow attractions. The tendency to associate mental disabilities with murder, violence, and danger is depicted in the several versions of the 19th century tale Dr. Jekyll and Mr. Hyde, and the 20th Century version, The Incredible Hulk.

Phantom of the Opera, The Hunchback of Notre Dame (1923), Frankenstein (1931),and The Bride of Frankenstein (1935) featured physical disabilities and violence.

Schwartz (1979) and Quart and Auster (1982) heralded the film Coming Home as a pivotal point in the movies, changing portrayal of the handicapped.

Quart and Auster described post World War II films as the first attempt to deal with the disabled veteran with some honesty. The 1945 Pride of the Marines was described as a film that failed to address social and economic issues. The film was praised for addressing realistically the feelings of anger and rage. The Best Years of Our Lives, which actually starred a disabled veteran, followed in 1946. Critics praised the film for not covering the trauma at the onset of the disability and the frustration and pain of rehabilitation. However, in 1950 The Men did address these stages.

Coming Home (1978) initiated realistic portrayal of Vietnam veterans. The film discussed a normally avoided issue -- sex and the disabled. Because of post-World War II films like Pride of the Marines, The Best Years of Our Lives, and The Men, audiences received a fuller, more sensitive appreciation of the experiences. The films portrayed injury, the rehabilitation process, and the relationship between the disabled persons and society. The post-Vietnam war film, despite its stereotyped veteran as victim or madman, deepened the disabled image to include sexuality, the tendency of rehabilitation to produce infantilism in the patient, and the intricate, symbiotic relationship that society has with disabled persons as well as their own capacity to use their handicaps to manipulate others.

The film Whose Life Is It, Anyway (Maxson, 1982) portrayed a young sculptor who became a quadriplegic as a result of a car accident and decided that suicide was the only rational choice for a severally disabled man. Maxson criticized the film for openly denying the value of disabled persons' lives.

Harold Michael-Smith, president of the American Association on Mental Retardation, praised the film industry in 1987 for its continued positively portrayal of the disabled. The Best Years of Our Lives (1946) was a breakthrough, he said, because it used a disabled person in the leading role. In addition, the film instilled an understanding of the anguish of disabled individuals and barriers created by non-disabled individuals. Smith described Johnny Belinda (1948) as perpetuating an old stereotype, deafness equals dumbness, however; he also praised the film for introducing the concept of educability. The Miracle Worker (1962) is heralded for emphasizing teachers' roles in helping individuals with severe disabilities. The Elephant Man (1985) demonstrated that prestigious advocates make a significant difference in how the world views and often treats the disabled. A radical film, Mask (1985) did not avoid confronting the dilemmas individuals with disabilities face. The boy's questioning his normalcy, his mother's possible coverings of his freakish appearance, and his problems with schoolmates were all part of the contributing drama reflected in some earlier film.

In general, Smith praised Hollywood for showing understanding, appreciation, and acceptance of disabled persons. Even though they are primarily made in the interest of box office receipts, films enlightened people who otherwise might perpetuate negative stereotypes of disabled persons.

Longmore (1985) praised Mask for shifting the source of the problem from the disabled individual to society and for showing that disability is not primarily a medical condition, but rather stigmatized social identity.

The 1988 film Mac & Me (about a 12-year-old young man with spina bifida and scoliosis) showed people who use wheelchairs can lead productive, active lives.

Coles (1988) praised Frederick Wiseman's four film documentaries describing how the blind, the deaf, or those both blind and deaf managed the nationally-known and respected Alabama Institute for the Deaf and Blind.

Television

A review of television films in 1954 indicates a sharp rise in the number of mental illness-related themes. Television contained proportionately more information relevant to mental illness than any other media, averaging about 2.4 programs per day. (Wall, 1978).

In 1968, television aired 149 programs covering disabilities, with NBC airing the most programs. (In. J. Rehab. Research, 1980). Paraplegia was the most frequent disability portrayed, followed by mental illness, drug addiction, and emotional disability. Critics lambasted television, as they did film and newspapers, for their portrayal of persons with disabilities.

Unfortunately, the increased coverage was negative. In general, the causes, symptoms, methods of treatment, and social effects portrayed by the media were far removed from what the experts advocated. In particular, the media in their over-all presentations emphasized the bizarre symptoms of the mentally ill. In television drama, for example, the afflicted person often entered the scene staring glassy-eyed, with his mouth widely open, mumbling incoherent phrases, or laughing uncontrollably. (Mental Illness and the Media, 1978).

Byrd, Byrd, and Allen confirmed in 1976 that networks aired 256 disability-related programs. Most programs depicted mental illness. Fifty of the 64 programs depicting mental illness were presented by the commercial broadcasting networks. Fifty-one of the 64 programs depicting mental illness were police dramas, movies, drama specials, and situation comedies. The greatest portion of programming depicting mental illness involved dramatization, with minimal effort in educating the viewers.

Television continued to portray mentally ill persons as strange and different, unemployed, erratic and unreliable, generally without friends and family, morally and psychologically weak and defective, and violent criminals. Television was singled out as the greatest offender in portraying violent mentally ill characters. These portrayals were more offensive as they inaccurately reflected what mental health professionals communicated about psychiatric patients. Research data showed that mental patients are, in fact, less likely to be involved in criminal or violent acts than are members of the general public. (Disabled USA, 1978)

Results from a 1978 study indicated 256 programs were aired depicting disability, with the largest frequency occurring on public broadcasting. Mental illness was the most frequently aired, followed by alcoholism, emotional disability and the physically handicapped. (Int. J. Rehab. Research 1980)

In 1979, Donaldson's study revealed that of all the characters in the sample, 3.2% appearing in major roles were depicted as handicapped. Although handicapped characters are seen in major roles on television, this does not adequately represent the estimated 15 to 20% of the general population who have handicaps. It should be noted, however, that handicapped characters seldom appear in incidental roles. In the entire sample, in fact, not one handicapped character appeared in a minor role except in juxtaposition with other handicapped persons; none was visible in groups of shoppers, spectators, jurors, customers, or workers. Handicapped people were thus invisible among the thousands of people in the background. Their appearance in positive characterization emphasized the handicap as a condition central to the plot. In their negative roles, they were shown as threats to society and their handicapping conditions were incidental to the plot.

Trinkaus (1984) studied television game shows to determine the number of contestants who appeared to be disabled. Those displaying an inability to walk or stand - and those exhibiting a loss of sight or hearing were judged to be handicapped. Over a six month period Trinkaus observed one disabled person.

The Silent Network, a cable program owned by Sheldon Altfeld, in its fifth year of operation produced an exercise show, a talk show, a dance program, and teen-sexuality discussion tailored to hearing impaired and deaf people. The Silent Network uses sign language and open captions. (Higgins, 1985).

A Baltimore Agency, Smith, Burke and Azzam used a donated advertisement featuring a non-disabled actor portraying a handicapped person. Organizations representing the disabled disapproved of the advertisement despite the agency's 1986 Clio Award-winning spot called "John," starred a mentally retarded man and the firm's campaign for the council (Erickson, 1988).

Lipman (1989) says advertisers have increased casting of actors with disabilities. Nike employed Graig Bloochette, a 1988 Olympic bronze medalist. Levi Strauss was one of the first showing a blue jeans-clad paraplegic. McDonald's featured a deaf teenager and a paraplegic girl. Apple Computer aired a commercial showing disabled people using its computers. IBM, Citicorp, DuPont, and AT&T have featured disabled people in their ads. The increased appearance of people with disabilities in advertisements could be because marketers' are aware that about 37 million disabled people live in this country and their estimated combined spending power is $40 billion.

Viewing Behavior

Five studies of the television viewing habits of the disabled are discussed here. Two were about mentally retarded (MR) children (one residential and one non-residential), two reported on institutionalized emotionally disturbed (ED) children, and one compared the viewing habits of ED,learning disabled (LD) and educable mentally retarded (EMR) children with non-handicapped children.

Baran and Meyer (1975) interviewed 70 (45 males and 25 females) 14 years of age trainable mentally retarded (TMR) children from five non-residential schools about their television viewing habits. Almost three-fourths of the youngsters reported they watched "a lot of TV." The most popular viewing times were after school, on Saturday, and at night. About half of all favorites programs mentioned contained frequent instances of aggressive behavior. For example, the most popular series included Gunsmoke, The Three Stooges, and Kung Fu. Clear sex differences were found in program favorites, with the violent programs being named by 70% of the males but by only 37% of the females. Parallel findings were reported for favorite character choices. The extent to which the youngsters identified with their favorite television characters was assessed with a conflict situation method in which each child was asked what he or she would do, what his or her favorite television character would do, what his or her parents would want him to do, what his or her best friend would do, and what the right thing is to do when faced with each of four potentially aggression-provoking situations (e.g. "Suppose you were playing with your favorite toy, and a person you didn't like came up and took it away?"). The study results indicated that for both male and females the strongest relationships existed between the child's report of what he or she would do and what the favorite TV character would do and what the best friend would do. The identification with TV characters and best friends also was found with non-retarded first-, second-, and third-grade children given the same set of conflict situations (Meyer, 1973); however, for the non-retarded children, the relationship between self and what the parents would want done and what is right were both statistically significant while neither was significant for the TMR children. This suggests that television may influence the social behavior of TMR children to a greater degree than their non-retarded peers because the alternative socializing forces seem to be less effective for the former group.

Ahrens (1977) examined the television viewing habits of 250 six- to 18-year-old children from a residential facility in New Zealand, most of whom were moderately or severely mentally retarded. Staff and parents reported most watched television from one to two hours daily, but about half the children under 12 watched from two to three hours daily. The most popular viewing times were between 5:30 p.m. and 7:30 p.m. About half the children were reported to talk about or act out some of the programs. Based on the children's reports, their favorite programs were the Flintstones and Sing (a locally produced song and dance show). It is interesting to note that a reliability check of the accuracy of caregivers' responses indicated that they were not accurate reporters of child program preferences. The adults thought that the children's favorite series was Sesame Street.

Rubinstein, Fracchia, Kochnower, and Sprafkin (1977) surveyed the television viewing habits of a sample of patients in a residential facility for ED children on Long Island, New York. The youngsters included 48 boys and 12 girls who were twelve years of age. The televisions on the wards were reported to be operating an average of 9.5 hours daily (3.7 hours during the day and 5.8 hours at night), with the typical child actually watching about one hour during the day and 2.6 hours in the evening. The five most-frequently selected program types included action/adventure shows (especially those with superheroes), cartoons, situation comedies, crime dramas, and monster movies. Ninety-six percent of the ward staff reported having observed behaviors engaged in by patients that seemed related to what they had viewed. The most frequently mentioned types of TV-linked imitation included aggressive acts, superhero behaviors, or dance steps.

Another survey (Donahue, 1978) of six-to-10-year-old institutionalized ED children (47 boys and six girls) revealed even more television use than was reported by Rubinstein et al. (1977). Based upon questions about how many hours they watched television, an average of 7.7 hours on weekdays and 4.2 on Saturday mornings was reported. Of all the favorite programs mentioned, 73% were violent. The two most popular program types were action-adventure and cartoon shows, and the two most frequently mentioned favorite characters were Bugs Bunny and Steve Austin (Six Million Dollar Man). Sixty-nine percent of their favorite characters engaged in aggressive behavior either periodically or regularly. Donahue also administered the confrontive situation measure described earlier in the Baran and Meyer (1975) study. The children were asked to describe how they, their favorite television character, parents, best friend, and favorite adult at the institution would handle each of four conflict situations. These findings suggest that the ED children identify with aggressive television characters who in turn may serve as role models.

Sprafkin and Gadow (1982) conducted an interview study to compare the television viewing habits of ED, LD, and EMR children with those of non-handicapped peers. Tests revealed that the special education group watched significantly more television than each of the control groups, which did not significantly differ from one another. Descriptively, the ED group watched the most, followed by the LD group and then the EMR group. The special education group watched both situation comedies and soap operas significantly more than did the control group. Special education children also watched more crime and superhero programs and were more likely to report they frequently pretended to be their favorite television character.

Children with disabilities were heavy consumers of television, liked aggressive programs, favored aggressive characters, imitated aggressive characters, comprehended television's visual aspect the most, and perceived television content as real.

Comprehension of Television Content

A study by Grieve and Williamson (1977) investigated the differences between the non-disabled and MR children's comprehension of auditory or visual content. They found that for both groups of children, accuracy was greatest on the visual items, next best on the auditory-visual items, and least on the auditory items. The preschoolers performed significantly better than the MR children on the auditory and auditory-visual items, but the groups performed comparably on the visual items. These findings suggest that handicapped children (in this case MR) comprehend visual television content better than auditory content.

Donahue and Donahue (1977) compared the responses of 11- to 16-year-old ED and gifted children to questions about the reality of television portrayals. There was no significant difference found for the role stereotype items. Unfortunately, this study provided meager details about the characteristics and size of the two groups and failed to include a more typical comparison group; however, the findings seem to suggest that handicapped children perceive television content as more real than their non-handicapped peers do.

Sprafkin and Gadow (1984) developed the Perception of Reality on Television (PORT) test to measure children's perceptions of television reality. They compared the performance of ED and non-disabled children. The ED children performed comparably to their non-handicapped peers on the filler items, the students in regular classes out-performed the ED group on all of the items that pertained to reality of TV violence, discriminating the actor from the role played, and cartoon animation. These results strongly suggest that ED children have many more misconceptions than non-handicapped children about important reality-fantasy aspects of television.

Effects

Walters and Willows (1968) conducted a study in which institutionalized ED and non-disturbed children's aggressive behavior was compared following their exposure to a four-minute aggressive or non-aggressive videotape model. Exposure to the aggressive tape produced more aggressive behavior toward the toys shown in the videotape by both the disturbed and non-disturbed children. The amount of aggression did not differ between the ED and non-disturbed groups.

Mentally retarded children's reactions to an aggressive model was examined by Fechter (1971). Subjects (11 years of age) were exposed to a five-minute videotape of a 12-year-old non-retarded female playing either in an aggressive or friendly manner with an inflatable Donald Duck doll. Based on observations of the children on the ward after the television presentation, Fechter found a significant media effect, with aggressive responses increasing after viewing the aggressive tape and decreasing following the friendly tape.

Talkington and Altman (1973) compared the subsequent playroom behavior of 144 MR males (14 years of age) after exposing them either to: (a) a three minute silent 16 mm film of a model hitting, kicking, and throwing a Bobo doll; (b) an equivalent film of the same model kissing, cuddling, and petting the Bobo doll; or (c) no film. In the three minute observation period following the film, the subjects who viewed the aggressive model exhibited significantly more aggressive behaviors and significantly less affectionate behaviors toward a Bobo doll than those who viewed either no film or the affectionate film model. The group that watched the affectionate model did not respond less aggressively or more affectionately than the no-film group. Hence, MR individuals are not likely to equally imitate aggressive and affectionate behaviors. Similarly, with normal children it is far easier to demonstrate media-induced aggression than pro-social or caring behaviors.

Hartmann (1969) conducted a laboratory study that examined reactions to filmed aggression in juvenile delinquents (15 years of age). Subjects were shown one of three, two-minute 16 mm films, each of which started with a one minute scene of two boys shooting baskets. For the remaining minute, the subjects in the control film condition saw the two boys play an active but cooperative basketball game, whereas those in the other two conditions watched the boys engaged in a violent fist fight. The latter film focused on the victim's pain as his opponent repeatedly hit and kicked him, and the camera highlighted the aggressor's behaviors. Half the subjects in each film group were put in an anger-producing situation before the film (an experimenter's confederate criticized them). The post-viewing measures of aggression were the intensity and duration of electric shocks that the subjects administered to the experimenter's confederate. Both aggressive films produced more punitive behavior than the control film. The adolescents who were provoked before viewing were more punitive than those who were not, and within this group, those who had seen the film featuring aggression were the most punitive. Of the unprovoked subjects, those who were exposed to the instrumental aggression film behaved most punitively. The most aggressive subjects were those who committed the greatest number of criminal offenses, were criticized by the confederate, and watched the film of a victim's responses to pain.

In a series of three ambitious field experiments, Parke, Berkowitz, Leyens, West, and Sebastian (1977) examined the effects of full-length, violent commercial films on the aggressive behaviors of male juvenile delinquents residing in minimum security institutions in the United States and Belgium. In all three studies media-induced aggression was demonstrated in naturalistic (i.e., not contrived) situations. The first study, which was conducted in the United States, involved 30 adolescents in each of two living unit cottages. For five consecutive evenings, subjects saw an aggressive or neutral film. The results indicated that the adolescents who saw the aggressive films behaved more aggressively on measures of general aggression (defined as the sum of physical threat, physical attack, verbal aggression, non-interpersonal physical and verbal aggression, and physical and verbal self-aggression) and physical aggression (defined as the sum of physical attack, non-interpersonal physical aggression, and physical self-aggression) than those who saw the neutral films. Prior aggression levels did not influence the magnitude of the media effect. Furthermore, the level of aggressive behavior remained stable over the experimental period rather than increasing with repeated exposures to media aggression.

The second study was conducted in the same institution with 120 adolescents who had not previously participated. The two studies were similar except the latter included neutral films that were better equated to interest level and two additional conditions, were added. To determine the effect of repeated exposures, an aggressive and a neutral film group were added, which viewed only one film (either aggressive or neutral). For the single-film exposure conditions, adolescents initially high in aggression became more physically aggressive after exposure to the aggressive film than they did to the neutral film. A similar pattern was found for the repeated exposure groups. Contrary to expectation, the aggression became more intense after exposure to the aggressive film than to the neutral film. A similar pattern was found for the repeated exposure groups. Contrary to expectation, the aggression effects were not greater for the multiple, compared with the single exposure to film aggression group; in fact, the reverse was true for general and physical aggression.

Their third study was conducted in Belgium and followed essentially the same procedure as their first investigation. As with their previous research, the results showed that the adolescents exposed to the aggressive films became more physically aggressive relative to those who viewed the neutral films. However, unlike the first study, the adolescents who were rated as highly aggressive showed a greater increase in general and verbal aggression after exposure to the aggressive film (than to the neutral film) compared with those who were initially rated as less aggressive. An additional feature of the Belgian study was that it included an assessment of group membership characteristics; the adolescents ranked each other based on dominance and popularity. It was found that the most dominant, popular, and aggressive adolescents were the most reactive to media aggression. The least popular youths were also affected to a large degree.

Disability and Telethons

In 1977, Lattin accused telethons of not revealing the whole story. Telethons fail to talk about the laws that provide for architectural and transportation accessibility, that make education available to all children; they do not discuss employment opportunities, affirmative action, or the capabilities and initiative of handicapped people themselves. They present only a horror story of a "hopeless" life.

Although Lattin criticizes telethons for their disabled portrayals, she lauded them for fostering unity, and bringing society together to assist its less fortunate members, something she thinks society does not do often enough.

Lattin (1979) both praised and criticized United Cerebral Palsy (UCP), but reflected her constituents' feelings that telethons can be positive if they follow certain guidelines: use both adults and children in demonstrations of programs and services, disabilities should accurately reflect the degrees of disabilities and variety of living situations, inform non-disabled talent about appropriate terminology, avoid references encouraging viewers to be thankful for their healthy children, avoid allowing the disabled to attempt to prove their ability to perform activities of the non-disabled, and emphasize CP's advocacy roles for the disabled.

In 1981, both the American Coalition of Citizens with Disabilities and the Disability Rights Center published objections to the picture of the disabled portrayed by the Muscular Dystrophy Telethon. Anne Peters (1982), pointed out that telethons' overriding emphasis on "the cure" insinuates that disabled people's problems should be only temporary and therefore are not problems to be dealt with by society. She added that people tend to feel that their donation to a telethon absolves them of any need to work for disabled persons' rights. Disabled people surveyed say telethons demean, but many also believe that telethons help fill a gap in government programs. However, a surprising number reported never receiving services from groups that sponsor telethons. The media have begun to look critically at some fund-raising charities in response to suspicions that the money raised rarely goes for actual services to disabled people.

Sheed (1988) was also negative towards the disabled media events. He suggested the media show the disabled in buildings, inaccessible to them because of swinging doors and other structures that have not been redesigned to accommodate them.

British telethons are more suitable; their images usually are more positive and optimistic. The British disability movement dislikes the twentieth-century version of the beggar in the streets (Karpf, 1988). British Central Television examined the material and social obstacles forced upon people with disabilities who were trying to live independent lives.

Using Media to Change Attitudes Toward The Disabled

Guldager (1973) assessed the impact of viewing spot television announcements on 390 college students to determine their attitudes toward deaf-blind children. Subjects were assigned to one of three groups in which they viewed a television program inserted with: (a) three commercials containing a discussion of deaf-blind children, (b) three commercials showing deaf-blind children, or (c) no commercials (control condition). The results indicated that the students who watched the "discussion" commercials reported a significantly higher positive attitude toward deaf-blind children than subjects in the other two conditions. Analysis of the interactions of 30 students from the control group and 45 students from the combined experimental groups also showed a greater positive attitude toward deaf-blind children in the latter. The relative effectiveness of the two experimental conditions remained unclear, however, because a direct comparison of the interactions of subjects from these two groups was not conducted.

Sadlick and Penta (1975) found attitudes of senior nursing students toward quadriplegics as social and working persons were significantly altered in a positive direction through viewing and discussing a 17-minute videotape of a successfully rehabilitated quadriplegic. The significant change persisted (though diminished) over a ten-week period in which the students worked with quadriplegics in a rehabilitation setting. Attitudes toward other nurses working with quadriplegics were not significantly altered by this videotape. Attitudes toward themselves working with quadriplegics were significantly altered following the videotape, but the effect did not persist over time.

Donaldson (1976) examined the effects of different modes of presenting a panel discussion about disability on attitudes toward the disabled. The six-member panel, comprising young adults with visible disabilities (quadriplegia, blindness, cerebral palsy), presented a 50-minute discussion that centered on the idea that disabled and non-disabled individuals share many common feelings, values, and goals. College students (N = 96) were randomly assigned to either the live (L), video (V), audio (A), or control (C) group. All subjects in the three experimental groups viewed and/or listened to the same discussion. The live presentation was significantly more effective than the other modes in generating favorable attitudes. Video was more effective than the control groups, but differences among A, C, V, and A were non-significant. Donaldson concluded that although the live presentation was more effective, there are many practical disadvantages (e.g., management, cost) associated with this approach.

Ardi (1977) evaluated the effects of viewing six Sesame Street "Play to Grow" segments on 45 second-graders. The children viewed the tapes individually and were then given a structured interview. The data revealed that although the children were aware of differences between the MR and normal children, negative attitudes toward the latter did not appear. However, the absence of a control group leaves the impact of the "Play to Grow" series unknown. Baran (1977, 1979) attempted to alter parents' attitudes toward their MR children using four, half-hour ETV dramas portraying MR people in everyday situations.

There was a significant increase in favorable attitudes on four of the 18 "Reactions and Concerns of Parents" items from the Thurston (1959) "sentence completion form" for parents who viewed the programs compared with those who did not. On three of 17 items measuring parents' ratings of their own children's capabilities, parents who viewed the program rated their children significantly higher than parents who did not view the television shows.

Schanie and Sundel (1978) evaluated the effectiveness of 21 public service announcements broadcast over radio and/or television during a 60-week period. The results indicated that the television announcements had a significant positive impact on adult telephone call activity. No significant effect on adult call activity was observed for radio announcements presented alone or in combination with television spots. Youth call activity was not affected by either mode. Survey data revealed a significant increase in the community's awareness of mental health resources, and a positive change in attitudes toward the cognitive structuring of problem situations. Attitudes concerning the appropriate behavior during a problem situation were not affected. Schanie and Sundel concluded that further research was needed to determine how to reach youths more effectively. They also suggested that media messages should be pretested to prevent an inadvertent increase in negative attitudes.

Potter (1978) found the informal use of television programs portraying the complete experience of the disabled encouraged her sixth-graders to ask questions and develop appreciation, acceptance and understanding of the disabled lifestyle. She cited such television programs as "I Can Do It," "Wilma" (a true story about Wilma Rudolph, an Olympic star who had polio), and "The Waltons."

"Khan Du!" is an instructional television series that attempts to: (a) "be realistic in the portrayal of disabled children and adults, and in their relationships with others"; (b) "show the similarities between disabled and non-disabled persons, especially with regard to abilities and career"; and (c) "use events modeled to real experiences, plus interaction with adult role models to build self-esteem of disabled youngsters." (Khan Du!, 1979, p. 3). The effects of viewing this series were evaluated on 1,080 children in grades three through six, 87 of whom were handicapped. None of the latter children was MR; however, the specific handicaps of the children were not identified or analyzed separately. The children were randomly assigned to the experimental (five "Khan Du!" programs) condition. Data analysis revealed that both handicapped and non-handicapped children experienced significant gains in reported attitude toward handicapped people following the viewing of "Khan Du!". In addition, the non-handicapped children showed a significant increase in their knowledge of handicapped people's abilities. (The handicapped children scored high in this area on initial testing.) The one area in which there were no significant increases for handicapped or non-handicapped children was perception of one's own abilities. Over all, "Khan Du!" appears to be most successful in improving attitudes toward the handicapped.

Storey (1979) investigated the effects of viewing six "Feeling Free" programs followed by teacher-led discussion on children nine years of age from 12 mainstreamed classrooms . "Feeling Free" is an ETV series developed as a means of facilitating mainstreaming. Pre- and post-test scores on the Children's Attitudes Toward Handicapped People test revealed that only children who viewed the programs and participated in the discussions demonstrated a significant increase in positive attitudes toward handicapped people.

In 1979, Monson and Shurtleff discovered the media can influence children's attitudes toward people with physical handicaps, particularly when cooperating teachers provide good models and encourage positive attitudes.

Gottlieb (1980) used a two and one-fourth minute investigator-made videotape of an MR boy participating in various activities to stimulate discussion of mental retardation. The study resulted in one significant effect: the children with negative attitudes about MR children reported greater attitude change in the three groups that discussed the treatment videotape than subjects in the control group did. The videotape discussion appeared to be equally effective regardless of initial attitude toward MR (positive or neutral).

In 1980, Westervelt and McKinney studied fourth-grade students to evaluate the effects of a brief film designed to point out how the aspirations and interests of a handicapped child are similar to those of his or her non-handicapped classmates. It appears the film alone may be useful to show to children immediately before they have a physically handicapped child join their class. However, the film alone does not appear to be sufficient to handle all questions that the non-handicapped child might have about a handicapped peer, and its effect does not appear to be permanent. Used in conjunction with other experiences, such as listening to handicapped speakers and participating in discussion sessions, the film might help prompt a more receptive and understanding classroom environment for the physically handicapped child.

In 1984, Elliott and Byrd conducted a study to investigate the differential effects on attitudes of a non-stereotypical television portrayal of blindness and a film designed specifically to inform viewers about blindness. This study differed from previous ones in that an episode of a popular television program was utilized as one of the treatments. Although the Sadlick and Penta (1975) study referred to the use of television, a videotaped interview with a successfully rehabilitated person who had a spinal-cord injury was employed as a treatment, and not an episode from an actual television program. Active discussion after viewing the television episode was incorporated as a part of the treatment; a variable which distinguishes this study from a previous experiment (Elliot & Byrd, 1983).

Results revealed that both experimental groups experienced positive movement on parallel forms of the ATDP (Attitude Toward Disabled Persons Scale). These findings support the effectiveness of the film What Do You Do When You Meet a Blind Person, and imply that a potential exists for the mass media to foster more favorable predispositions toward disability.

While television can portray negative stereotypes of persons with disabilities, it can also help reverse stereotypes as indicated by the theories discussed earlier in the chapter. Using television in a combination with discussions and presentation can change attitudes toward persons with disabilities.

Discussion

A review of the research on persons with disabilities and the mass media for the past 20 years supports the following: (1) all media increased their coverage of persons with disabilities, (2) all media tended to negatively portray persons with disabilities, (3) all media showed some improvement in their portrayal of persons with disabilities no matter how minuscule, (4) all media under certain circumstances can be used to change attitudes toward persons with disabilities and (5) children with disabilities are heavy television viewers and are influenced by what they see on television.

What do the above observations concerning the mass media and persons with disabilities imply? The potential impact of these observations can only be understood in light of mass media theory.

Traditionally negatively portrayed, persons with disabilities received low status conferral and were therefore potentially irrelevant or insignificant in the larger society. According to the social comparison theory, persons are likely to compare themselves with persons appearing in the media. Thus, comparisons made by persons with disabilities could result in dissociation from the society which portrayed them negatively.

The meaning theory, which suggests the media play a role in the development of meaning, is significant in analyzing the meaning of phrases descriptive of persons with disabilities. "Disabilities" could be a negative or positive phrase, depending on how persons with disabilities were presented in the media.

Cultivation analysis suggests that television is representative of the real world. If the media present persons with disabilities negatively, society will view them negatively; conversely, if the media expand the positive portrayal trend, perhaps society may be positively influenced.

The agenda-setting theory suggests that the media determine significant issues for society. Media tended to narrowly cover news related to persons with disabilities. The media focused on persons with disabilities as victims, geniuses, or superheroes. Therefore, because of the media's agenda-setting function: society may view persons with disabilities as victims, geniuses, or superheros. The media failed to introduce society to the full range of issues confronted by persons with disabilities such as civil rights and social and political problems.

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EFFECTIVENESS OF TRADE MAGAZINE ADVERTISING

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Trade magazines have emerged in just about every industry and product area and attract a growing share of advertising dollars. Not much is known about this portion of the magazine marketplace and its effectiveness as advertising vehicles, however. Most academic research on magazine advertising has focused on the effectiveness of more general circulation magazine advertising, or on the recognition/readership scores of print ads. Further, readership surveys conducted by publishers are not always reliable sources of information, as survey questions may be manipulated to obtain favorable outcomes (Fannin, 1989; Kapp, 1987). Syndicated research organizations conduct relatively reliable readership surveys, but they tend not to draw specific conclusions or recommendations. Media planners need help when it comes to assessing trade magazine advertising effectiveness.

Advertisers cannot afford to ignore trade magazines. They have large numbers of readers and there is evidence they are well read. Ross (1986) found that the average business or trade magazine reader read 52% of the features in the surveyed issues. And, 96% of the readers who read the features also read ads—68% of those readers who read ads read them intentionally. Ross referred to another study in which 86% of the respondents read the specialized business publications they received; 90% of them read at least one issue in four and more than 70% read at least three of four issues. But Ross also reported an 11-publication readership study that showed a significant variation in the degree to which individual publications were read. The percentage of readership, in terms of publications considered the most helpful to the readers' work, ranged from a high of 78% to a low of 25%.

These findings suggest that while business publications are generally read, only the best are read regularly. And only when the publication is read is there a chance that the ads will be read. Thus, media planners need to know more about how readers perceive trades and how they make use of them

Readership and Magazine Planning

Magazine advertising planners need quantitative and qualitative data to determine the relationship a magazine has with its readers. Quantitative data such as cost per thousand (CPM), total readership, and target coverage are important in making media buys, but qualitative factors, including editorial environment, advertising/editorial ratio, reader involvement, and preference among magazines, are also priorities for media planners (Fannin, 1989; Leckenby & Kishi, 1982).

The use of qualitative data among media planners was confirmed in a survey by Johnston. She found that "among 43 magazine planners at nine agencies, nearly all planners frequently use qualitative data" (quoted in Fannin, 1989, p. 53). Qualitative data is necessary for trade magazine planning because quantitative data provided by controlled circulation vehicles may not precisely reflect effective reach among their target audiences. Magazine planners need a specially designed readership study to fit their needs when making vehicle selections (Winn & Neville, 1977).

Problem

While there is general interest in trades and in gathering quantitative and qualitative data about their readership, a comprehensive survey of the field was beyond the scope of this research project. Therefore, a specific category of trade magazines was examined as an initial foray into the trades field and to illustrate the usefulness of combining quantitative and qualitative data in analyzing advertising effectiveness. Specifically, we examined the effectiveness of electronics trade magazines in reaching a targeted audience to determine the importance of trade magazines for electronics industry advertisers.

A decline in advertising volume in business publications generally, and electronics trade magazines specifically, indicated that industry-specific advertisers including electronics manufacturers were cautious about trade advertising spending. This suggested a need for more information that could be used to discriminate among trades and/or justify advertising expenditures. A declining electronics industry and growth in the number of electronics trade magazines suggested that the selection of magazines to reach specific target audiences required analyses based on readership information (Fannin, 1989).

Circulation and CPM have been the primary quantitative variables used historically to indicate magazines' strengths. But, they both have disadvantages with respect to trade magazine advertising. Research has shown that trade magazines are more effective in reaching specific targets than general publications (Appel, 1987; Donovan, 1979; Edgell, 1987; Ross, 1986). And circulation has to be evaluated carefully because some people receiving free publications may not read them. The controlled circulation of electronics magazines may also result in audience duplication because qualified audiences may request as many publications as they wish. Because of increased budgetary constraints, audience duplication must be taken into account when planning advertising campaigns.

Common wisdom suggests that advertisers base advertising decisions on the lowest CPM for the target audience. However, that does not appear to be the case, at least when considering growth in total advertising in the trades. *Advertising Age* found that among the 15 lowest CPM magazines, "four gained share, three held even, and eight lost" (Joyce, 1990, p. 123). Apparently, CPM is not the only factor used to measure the effectiveness (or value) of advertising and to attract advertisers. Media planners often consider factors other than circulation and CPM when making media buys, and readership studies can provide some of that other important data.

High-technology Advertising

High-technology purchasers must evaluate technical information to reduce the inherent risk of error. They often, therefore, make use of a wide range of evaluation and other support services (Abratt, 1986). Prepurchase information-searching is important because of the significance of the product to the purchaser and the possible consequences or benefits related to the final purchasing decision. While other information sources are used, trade magazines are important sources of information about products and services and their information-orientation has been empirically and theoretically tested (Payne, Severn, & Dozier, 1988; Ross, 1986).

While trade-magazine advertising is a source of information, little is known about the degree to which such advertising is valued by readers. It has been argued that advertising *alone* has not very strongly influenced customers' decision-making. It has also been pointed out, however, that the "more frequently an ad appears, the more likely it will influence a purchase decision" (*Folio*, 1988, p. 40). Nevertheless, it is safe to say, especially in high-tech industries, that advertising has more indirect communication spin-offs, such as word-of-mouth, company name, image and reputation-building, which can positively affect customers' buying behavior (Park, Roth, & Jacques, 1988).

Other research has suggested that advertising in an informative publication with valued editorial will be more effective than in a general publication (Appel, 1987; Cook, 1985; Donovan, 1979). This conclusion might explain why top managers of high-tech firms perceived that advertising in trades was a more important promotional method to the success of the firm than trade shows, sales promotional materials, direct-mail advertising, etc. (Jackson, Keith, & Burdick, 1987; Traynor & Traynor, 1989). People in the high-tech industry also tend to appreciate informative, straightforward ads.[1]

Electronics Magazines

Advertising volume declined in both business publications and electronics trade magazines between 1985 and 1988 (Angelo, 1989; Cohen, 1989; Patterson, 1989). An examination of the ad volume among selected electronics magazines (*Computer Design*, *EDN*, *EE Times*, *Electronic Buyers News*, *Electronic Design*, *Electronic News*, *Electronic Products*, *Electronic Business*, *Electronics*) showed that advertising volume declined 39% from 1984 through 1989. The decline in advertising resulted partly from declining sales in the electronics industry and partly from increased numbers of electronics magazines competing for limited advertising budgets. Most advertisers remained cautious about how much they should spend on advertising and how to spend their advertising budgets (Angelo, 1989; Sommerfield, 1989). In addition, the magazines' ad rates increased annually. These conditons argued for more scientific analyses of how to spend advertisers' dollars to target the right people—those making the buying decisions (Kapp, 1988).

Most electronics magazines have controlled circulation; that is, the magazines are free to qualified audiences upon request. And, controlled circulation results in audience duplication. Media planners must take duplication of readership into consideration. For example, *EDN* and *EE Times* are two large-circulation electronics magazines ranked second and fifth respectively by 1989 ad pages (Angelo, 1990). More than 40% of the circulation of *EDN* and *EE Times*, however, is duplicated.[2] Audience overlap of publications can be helpful for building advertising exposure, but media planners need to determine and equate the number of vehicle exposures to the number of advertising exposures (Sissors, 1983); otherwise, ad insertions in multiple vehicles delivering the same audience reduces the efficiency of audience reach (Rentz & Reynolds, 1979).

This study focused on identifying readership patterns among the electronics semiconductor target audience and testing the theoretical construct of information-orientation derived from the uses and gratifications perspective. The secondary objectives were to: (1) identify readership patterns across a spectrum of electronics trade publications, (2) examine the overall readership of electronics magazines, and (3) present the survey results

[1] Found by focus group study conducted by FCB/Technology, in November 1989.
[2] Provided by Cahners Publishing Company.

and interpretations as a basis for selecting the best vehicles to deliver advertising messages most effectively and efficiently.

Magazines received, magazine readership, and ad readership were the primary variables investigated. Additional variables included the respondents' demographic and working characteristics. Ad readership was not directly measured, but the respondents' magazine reading patterns and the number of ads read in the magazines provided a relationship between magazine readership and ad readership. Media planners can use the results of this study to help make efficient and effective vehicle selections in advertising campaigns in this specific industry.

Theoretical Framework

It has been argued that the uses and gratifications approach is a diverse set of theories and models rather than one theory, but it provides a fruitful way to explore the issue of audience behavior based on common theoretical perspectives (Levy & Windahl, 1985). Treating trade magazines as information sources allows us to discuss the variables affecting the amount of information search reflected by variance in readership patterns. The following discussion integrates these two theoretical perspectives into a broad-based framework to provide insights about why and how people read trade magazines and what factors determine their readership.

Media Orientation vs. Information-seeking Behavior

Information-seeking has been suggested as a motive for reading magazines. Cross-media uses and gratifications studies have identified three broad groupings of motivations: surveillance of the environment, diversion from that environment, and interaction of personal and mediated experiences (Towers, 1986). These concepts have been used to investigate motives for reading both consumer and trade magazines. Environmental interaction and environmental surveillance were found to be indicators of trade magazine readership. Environmental interaction indicates media use for "information or insights that might be called upon as grist for conversation or other social intercourse" (Payne, Severn, & Dozier, 1988, p. 910). Environmental surveillance is "media use with the objective of securing new information about one's environment, or confirming, reinforcing or modifying views about the environment" (Payne, Severn, & Dozier, 1988, p. 910). Environmental surveillance and interaction are both information-seeking motives for reading trade magazines.

People seek information from media to reduce the risk inherent in uncertain choices among alternatives. Greater uncertainty or perceived risk leads to a more extensive search (Urbany, Dickson, & Wilkie, 1989). Extensive search behavior is reflected in the use of more information sources. Thus, the number of information sources used is an important dimension of consumer information-seeking behavior (Kiel & Layton, 1981).

Newman and Staelin (1973) identified three common information sources: personal (friends and neighbors), neutral (books, magazine articles, and pamphlets) and advertising and retail outlets. Newman and Staelin found the percentage of respondents reporting use of advertisements ranged between 15% and 30%. Nelson (1970; 1974) and Soley and Reid (1983) also provided evidence that advertising serves to announce a product's existence and attributes and thereby enables consumers to become more price-sensitive and make better buying decisions. Magazine ads have been found to be more information-oriented than ads in other media (Harmon, Razzouk, & Stern, 1983; Norton & Norton, Jr., 1988; Sarel, 1984; Soley & Reid, 1983; Stern, Krugman, & Resnik, 1981). Consumers are also more satisfied with the informational value of magazine advertising than with television advertising (Soley & Reid, 1983).

It might be argued that the audience's information-orientation toward magazines is different from that toward magazine advertising. Chook (1985), however, suggested that readers perceived generic advertising to be an integral part of special-interest magazines, providing as much information as editorial content. This image of trade magazines can be illustrated by the concept of media orientation which provides a dynamic viewpoint and unifies several theoretical perspectives.

Media orientation explains media uses more specifically and suggests that "an individual's orientation toward a medium is a reflection of a particular combination of habitual use, psychological motives, such as gratification sought from the medium or from the content, and other social factors" (McDonald, 1990, p. 13). Media orientation argues that the media "image" held by the audience leads the audience to seek information/gratification from a specific medium. On the other hand, it does not prohibit a focus on orientations toward media even without consideration of needs (Stanford, 1984).

Media orientation has been useful in studies of inter-media comparison of audiences' consumption of news media such as TV and newspapers (Levy, 1983; McDonald, 1990). Media orientation can be tied to trade magazine readership because information is the primary gratification audiences seek from trades. It is more than a common-sense notion that trade magazines have an image as an information source. Theoretically, orientation toward trade magazines is a summary of information gratifications that individuals gained from trade magazines; a kind of "image-as-information-source," and leads them to read functionally or habitually (McDonald, 1990). That is, there is a causal relationship between information orientation and trade magazine readership.

This study of electronics trade magazine readership was an intra-medium comparison. The variance in the use of different vehicles was examined by the approach of audience activity, such as reading frequency or content involvement, in order to reflect the different levels of information gratification sought from different vehicles, even though all the vehicles share the same image as an information source. This approach was fundamentally based on the concept of the active audience and information-processing parsimony, which will be discussed below.

Audience Activity vs. Information Processing

The active audience is a central assumption of the uses and gratifications approach. As suggested by Levy and Windahl (1984), "their decisions to enter into communication are motivated by goals and their active participation in the communication process enhances, limits, and influences the effects of exposure" (p. 52). Levy and Windahl explained the process of media exposure under a loop model—gratification seeking -> audience activity (selectivity, involvement, and utility) -> gratification sought -> gratification seeking. The Levy and Windahl model predicts that gratification sought from trade magazines will be reflected in the audience's readership patterns. In another words, audiences will read the publications differently depending on the gratifications sought.

Their model also explicitly pointed out a range of possible orientations (selectivity, involvement, and utility) that vary across the sequence of communication processes. The typology of audience activity had already been proposed in Levy's (1983) earlier research, which was constructed from two orthogonal dimensions: qualitative orientation and temporal dimension. Audience selectivity, involvement, and utility are three nominal values considered within the qualitative orientation. By cross-tabulating audience orientation with the temporal dimension which is divided into pre-exposure, exposure, and post-exposure, nine types of audience activity were formed and captured all possible consumption behaviors. The typology leads to theoretical definitions of the measures that were used in the readership study.

The next step was to determine what kind of readership would reflect selectivity, involvement, and utility in audience activity.

Conceptualization of Selectivity, Involvement, and Utility

Selectivity is most commonly investigated in the pre-exposure phase of the communication sequence because it reflects how "individuals make goal-oriented choices about a given set of communications" (Levy, 1983, p. 108). In TV viewing for example, program selectivity was investigated by examining the activity of tune-in, tune-out, turn-on and turn-off (McDonald & Reese, 1987).

The concept of selectivity is parallel to the principle of information-processing parsimony that suggests consumers will not acquire all the information that is available in the environment (Kiel & Layton, 1981). Consumers might process selected information based on how they perceive meeting their needs, which is the same concept as selectivity. This principle can be reflected in the use of information sources. Applied to magazine readership, selectivity can be measured by the magazines selected to read from among available alternatives, deciding on the number of issues to read, etc.

Involvement is a complex concept that has been investigated in various domains. Although there does not seem to be a single, precise operational definition of involvement, the term is referred to as a "mediating variable" when determining if the object or situation is perceived as important or relevant to the subject (Zaichkowsky, 1986). Page exposure has been specifically used to indicate the level of involvement with print media (Joyce, 1986; Troldahl, 1965). Page exposure can also be measured by the way magazines are read, such as reading cover-to-cover or scanning through. This measurement emphasizes how thoroughly the reader is exposed rather than how thoroughly the magazine content is read. Scanning through the magazine tends to expose readers to more pages than reading the magazine by selecting content from the table of contents. And scanning provides more opportunity for exposure to advertising. This measurement seems suitable for the investigation of readership for advertising purposes.

Utility is also a concept that can be found in each sequence of communication processing. Postexposure utility is especially associated with media uses in nearly all uses and gratifications research. For example, when viewing TV news, audiences may consciously use the information they gain from the exposure for "small talk" or "sociability" (Levy, 1983). The example of TV news viewing illustrated that intrapersonal or interpersonal utility is a kind of instrumental media use.

Even without using "utility," subjects making "use" of what they get from the use of media has always been reflected in the gratifications obtained. For example, we can get some idea of utility from the degree of agreement with statements about gratifications obtained from media such as "it helped me find out about things I need to know in my daily life" (Stanford, 1984, p. 525). This measurement suggested that the perception of helpfulness indicates the gratification that audiences have obtained For measuring the utility of trade magazine readership, it seemed suitable to ask if the magazine was helpful in the respondents' job, which represented the accumulated outcome of gratifications sought and obtained.

Actually, the types of audience activity are interrelated. Levy and Windahl (1984) suggested that audience activity will not be consistently high or low across time, but a meaningful association among selectivity, involvement, and utility might still exist. In their research on TV news viewing, it was shown that there was a relatively strong correlation between selectivity before exposure and involvement-during-exposure. A significant correlation between selectivity in exposure-seeking and post-exposure use was also found in a study of Swedish TV news viewers (Levy & Windahl, 1985). Thus, it seems likely that frequency of readership (selectivity) and thoroughness (involvement) might be related. And, it might be true that respondents who perceive trade magazines to have high utility will be different from respondents who do not. This interrelationship was also supported by the findings from information-seeking behavior research. Research found that information will be sought on attributes in the order of their perceived importance (Holbrook, 1978; Sheluga, Jaccard, & Jacoby, 1979).

The investigation of the variances and interrelations of audience activity is generally associated with an examination of the influence of intervening variables such as demographic factors. Thus, further attention was given to identifying the personal characteristics that might influence electronics trade magazine readership.

Personal Characteristics

Several studies have considered the impact of personal characteristics on readership and advertising effectiveness. Kippax and Murray (1980) suggested that media uses were best predicted by the variables of sex, age, education, and occupation. On the other hand, Payne, Severn, and Dozier (1988) suggested that future research carefully examine "the degree to which demographic variables contribute to forming media-use motives, or interact with motives in determining media and content selection" because this was an area that uses and gratifications research has left largely unexplored (p. 913).

Other studies have examined the determinants of information-search processing from different perspectives (Kiel & Layton, 1981; Perkins & Rao, 1990; Punj & Staelin, 1983; Westbrook & Fornell, 1979). Westbrook and Fornell (1979) identifed three potential determinants of information-source usage: (1) personal background characteristics of the consumer, (2) situational factors at the time of purchase, and (3) characteristics of the consumer's purchase decision process. Each variable was believed to relate to source usage by its influence on the perceived costs and value of information-seeking. Only personal characteristics were used in the present study because it was based on the concept of the active audience which suggests that an audience is self-aware and knowledgeable about the ability of media to gratify certain social and psychological needs (Kippax & Murray, 1980; Levy & Windahl, 1984; Swanson, 1987).

It has been suggested that consumer sophistication affects consumers' use of information. Consumer sophistication measures might include general education level, past experiences, skill in making efficient decisions, etc. (Sproles, Geistfeld, & Badenhop, 1978). The personal and/or background characteristics discussed most, and most related to this area of study, are education, age, and experience.

Education increases buyers' needs for information related to purchase decisions (Westbrook & Fornell, 1979; Kiel & Layton, 1981). General education and education activities contribute to consumers' decision-making abilities in two ways. First, education "may create awareness of and preference for information" that could be expected to increase the amount of time or costs consumers spend seeking information (Fast, Vosburgh, & Frisbee, 1989, p. 83). Thus, consumers with higher education have a higher evaluation of information searching and tend to use and rely on high-value, high-cost sources such as *Consumer Reports* and related buying guides (Westbrook & Fornell, 1979). Second, education also improves the efficiency with which consumers handle information that would likely decrease the time or cost consumers must devote to gathering a given amount of information (Fast, Vosburgh, & Frisbee, 1989; Westbrook & Fornell, 1979).

Age was assumed to have an opposite effect on the buyer's need for information because of the increased opportunity for learning from previous experience (Westbrook & Fornell, 1979; Kiel & Layton, 1981). Thus, age (as an indicator for knowledge) is said to be inversely related to the value of searching and suggests that older people are less likely to use high-value, high-cost information sources (Westbrook & Fornell, 1979).

Experience is another, more complicated, variable affecting information-search. It may be represented by education and position level, and prior knowledge about products. Perkins and Rao (1990) obtained insights into how experience affected managers' use of information to arrive at decisions. Their overall finding was that "more experienced managers regarded more kinds of information as useful and made more conservative decisions, especially in a relatively unprogrammed situation" (p. 2).

The findings discussed above are applicable to the investigation of trade magazine readership because readership is a kind of information-source usage. Whether those factors have the same effect on readership of trade magazines was investigated in this study. Experience was operationalized in terms of working characteristics such as job function, job title, employees supervised and years in industry. These characteristics should reflect different kinds and different levels of experience affecting trade magazine readership.

Research Questions

Applying the typology of audience activity, it was believed that the audience could decide voluntarily (actively/selectivity) how often and how thoroughly to read the magazines received, and the variances (the different levels of selectivity and involvement) in readership would depend on the audience's different perceptions (gratification obtained or utility) of the magazines. The degree of selectivity would be reflected in the number of issues respondents read. The degree of involvement would be indicated by thoroughness of readership. "Thoroughness" was measured by the audience's page exposure. For advertising purposes, the way magazines are read by audiences indicates the different levels of probability of exposure to advertising. For example, reading cover-to-cover should provide the highest probability of exposure to advertising. Scanning for interesting items the next highest probability of exposure and selecting items from the table of contents the least probability of exposure to advertising.

The interrelationships among different types of audience activity suggested there might be a relationship among reading frequency, thoroughness of reading (involvement), and perceived helpfulness/preference (utility), that could exist in respondents' readership of each individual magazine or all the magazines received.

Based on the above discussion, the following research questions were asked regarding electronics trade magazines:

1. Do respondents read the electronics trade magazines received?
2. What is the relationship between reading frequency and thoroughness of reading of each magazine received?
3. What is the relationship between respondents' overall reading frequency and overall thoroughness of reading of all magazines?
4. Would the respondents' perception of helpfulness be reflected in the frequency and thoroughness of readership of the magazine?
5. What is the relation of the reading pattern selected, in terms of respondents' overall thoroughness of readership, to the number of ads read?
6. What are the determinants, such as demographics and job characteristics, influencing the readership of electronics magazines?

Method

Publications Examined

Twelve electronics magazines were chosen for study because they were known to serve many semiconducter markets and were of most interest to advertisers because of their large circulations. The magazines selected were published weekly, biweekly, or monthly. Circulation ranged from 150,053 to 26,639. Only one of them, *Electronic News*, had paid circulation; all the others had controlled circulation.

Subjects and Procedure

Respondents were chosen by systematic random sampling from a semiconductor business customer data base. These individuals constituted the target market for electronics advertisers and qualified for receipt of trade magazines by job function. A sample of 696 individuals from the United States and Canada was drawn. Respondents received a one-page, two-sided questionnaire, a business reply envelope, and a cover letter from the researcher. The letter was sent on a university research institute letterhead and identified the researcher.

Three mailings were conducted to maximize the response rate. The interval between the three mailings was three weeks and two weeks, respectively. The first mailing was sent the end of April, the second the middle of May, and the third toward the end of May 1990. The survey was closed in the middle of June and the responses tabulated.

A total of 397 questionnaires were returned, for a response rate of 57.0%. Ten responses had to be discarded because they were blank or improperly filled out. The total number analyzed was 387, or 55.6% of the sample.

Questionnaire

The questionnaire included sixteen questions which fell into four main categories of inquiry: publications received, readership patterns, preferences toward the publications, interest in the ads and demographic and job characteristics of the respondents.

Receivership/readership was investigated by having respondents check the electronics magazines received from a list. Readership patterns were determined by four measures:

1. A multiple-choice question asked respondents if they read the publications at home, at work, both, or if not read.
2. Reading frequency for a four-issue sequence was measured by a five-point interval scale, ranging from "every issue" to "none."
3. Thoroughness of readership was determined by a four-point scale from 0 to 4, which stood for four reading patterns: reading cover to cover, scanning through for interesting items, selecting from table of contents, or not reading. The answers to the question were treated as an interval scale.

In the second category, respondents were asked to indicate the most helpful magazines from the checklist of those received. They were also asked to express which publication they would choose if they could receive only one.

Third, interest in the advertising carried in the magazines received was determined. A multiple-choice question allowed the respondents to indicate precisely the number of ads they read.

Fourth, personal/background characteristics were measured. The first part dealt with respondents' job characteristics such as job function, job title, number of employees supervised, and length of time in the industry, which were used to classify the readership data and to indicate past experience and prior knowledge. Next, the respondents' highest degree and major field of study were asked to classify education level. Finally, respondents were asked to indicate the age group in which they fell.

The questionnaire was not pretested, but many elements in it had been used in other readership studies. Although the prior studies did not provide estimates of reliability and validity, their results indicated the reliability and validity implicitly The relatively high response rate (55.6%) also suggested that the respondents had little trouble with answering the questions.

Results

Receivership and Duplication of Electronics Magazines

Five electronics magazines were received by more than half the respondents: *EDN* (83.2%), *Electronic Design* (77.8%), *EE Times* (61.8%), *EDN News* (61.2%), and *Electronic Products* (54.0%). *Electronics Purchasing* was received by less than 5% of the respondents (Table 1). Comparing the frequency of each magazine received to the overall circulation of each magazine, the difference in rank order was no more than two, except that *Powertechnics* ranked eighth among the sample group and ranked twelfth among the population. Most respondents (74.4%) received from two to six magazines of the twelve. Almost 19% of the respondents received more than six magazines. The average number of electronics magazines received was 4.7.

Further analysis showed that the duplication of *EDN* with the other eleven electronics magazines was very high, and ranged from 100% to 80% (Table 1). *Electronic Buyers' News* had the lowest duplication rate with *EDN*, but it was received by relatively few of the respondents (11.6%).

Readership Patterns

More than 80% of the respondents read the magazines they received at work, and 50.4% of the total also tended to read them at home. Less than 10% of the respondents read the magazines only at home. Frequency of readership was measured by the number of issues read (out of four). Except for *Electronics Purchasing* (29.6%), all the magazines had high "every issue" readership, ranging from 67.6% for *EDN* to 41.9% for *Computer Design* (see Table 3). Nine out of twelve magazines were read three issues out of every four on average (Table 1). Among the nine magazines, *EDN* was read most frequently ($M = 3.42$) and *Electronic Business* was read least frequently ($M = 3.07$). Three other magazines also had relatively high readership; *Computer Design* ($M = 2.95$), *Electronic Buyers' News* ($M = 2.84$) and *Electronics Purchasing* ($M = 2.37$).

Thoroughness was measured via another scale item. Overall, the data suggested that scanning through the magazine for interesting items was the most frequently reported reading pattern for all the magazines; ranging from 73.4% to 56.1% (Table 4). Average reading thoroughness was also fairly high, ranging from 2.14 to 1.68 (Table 1).

Spearman-rank correlation analysis showed that there was a weak, but positive and significant association between reading frequency and thoroughness of reading for all magazines, with *rs* ranging from 0.59 to 0.29 ($p < 0.001$)[3] (Table 1).

For further analysis, average overall reading frequency was broken down into four parts: reading fewer than 1.5 out of 4 issues, between 1.5 and 2.5 out of 4, between 2.5 and 3.5 out of four, and no less than 3.5 out 4. Additionally, the average level of overall thoroughness of reading was broken down into three levels: light, moderate, and heavy. The overall thoroughness of reading in the "light" category was less than 1.5 out of four issues; between 1.5 and 2.5 in the "moderate" category; and no less than 3 in the "heavy" category (Table 5). The relationship between frequency and thoroughness of readership was statistically significant ($c^2 = 113.18, df = 6, p < .001$). Most respondents (60.5%) who read at least 2.5 issues on average tended to read the magazines to a moderate extent of thoroughness. The Spearman rank correlation coefficient indicated that there was a weak association between reading frequency and thoroughness of reading ($rs = 0.38, p < 0.001$).

Most Helpful Magazines

Almost half of the respondents (48.6%) believed *EDN* was the magazine most helpful to them in their job (Table 1). *Electronic Design*, and *EE Times* were also believed to be most helpful by a considerable number of respondents (14.2% and 12.9%). *Electronic Products* was reported by 4.9% of the respondents as being most helpful. The helpfulness of other magazines was very low, around 2% or fewer of the respondents.

For each magazine, the respondents were then divided into two groups; those who perceived the magazine to be most helpful to them in their job and those who did not. It was anticipated that there would be differences in readership, in terms of frequency and thoroughness, between the two groups. The readership of *EDN*, *Electronic Design*, and *EE*

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[3] $p < 0.05$ for *Electronics Purchasing*, $p < .0.01$ for *Electronic Business*.

Times were analyzed because more than 10% of respondents perceived them to be the most helpful to them in their job. The results showed no consistent finding about the difference of reading frequency between the two groups for the three magazines (Table 6). The frequency of readership between the groups was statistically significant only for *EDN* ($t = 5.29$, $df = 211.0$, $p < 0.001$).

Contingency tables were constructed to examine the differences in thoroughness of reading between the two groups for *EDN*, *Electronic Design*, and *EE Times*. The association between thoroughness of readership and respondents' perception of helpfulness was statistically significant: EDN ($c^2 = 74.11$, $df = 2$, $p < .001$); Electronic Design ($c^2 = 28.87$, $df = 2$, $p < .001$); EE Times ($c^2 = 15.43$, $df = 2$, $p < .001$) (Table 7).

EDN, *EE Times*, and *Electronic Design* were again the top three publications preferred by the respondents. *RF Design* was preferred by 4.4% of the respondents and *Electronic Products* was preferred by 2.6% of the respondents. None of the remaining magazines were preferred by more than 1% of respondents (Table 1). Various publication categories such as "IEEE," telecommunications, microwave, and vendor-specific publications were mentioned by the respondents. These and other electronics magazines appearing occasionally were put into the "other electronics" category.

Readership of Advertisements

More than three-fourths of all respondents reported that they read at least some of the ads in the magazines they received. Only 18% reported reading only a few or none of the ads (Table 8). There was a statistically significant association between thoroughness of readership of the magazine and the number of ads read ($c^2 = 15.32$, $df = 4$, $p < 0.01$, Table 8). Moreover, the Spearman rank correlation coefficient indicated that there was a weak, positive relationship between the average level of overall thoroughness of readership and the number of ads read ($rs = 0.22$, $p < 0.0001$).

Characteristics of Respondents and Influence on Readership

The last research question asked what the determinants of electronics trade magazine readership were. Each factor was summarized and its relation to readership was categorized in terms of the respondents' job characteristics and demographics. Most of the respondents performed the job function of design/development engineering and most of them had an engineering background. The only variables affecting the readership of electronics trade magazines were found to be job function and highest degree.

Job Function

More than 80% of the respondents performed the function of design/development engineering (Table 2). Engineering service, corporate management, and basic research were the next three largest categories, containing 4.9%, 3.6%, and 3.45% of the respondents, respectively. The remainder of the respondents, those performing other job functions, totaled less than 10%. Thus, the respondents were divided into two groups: design/development engineering, and all others. A Chi-square test showed that the relationship between overall readership and job function approached statistical significance both for the average of overall reading frequency and the average level of overall thoroughness of reading (Table 9).

Highest Degree

Respondents' educational background is shown in Table 2. Most respondents (73%) had at least a bachelor's degree: 3.9% had a Ph. D., 27.9% had master's degrees. Respondents with Masters of Science (27.1%) and Bachelors of Science (39.8%) made up 66.9% of the total.

A Chi-square test to analyze the relationship between respondents' overall readership and highest degree showed that there was a negative relationship, approaching statistical significance, between the average level of thoroughness of reading and highest degree (Table 10). The respondents (21) who tended to read magazines from cover to cover were in the group of respondents who did not have a college degree or who did not indicate their degree, compared with other groups with at least a bachelor's degree.

Summary and Conclusions

Respondents tended to read all the magazines they received frequently and thoroughly. More important for this study, respondents also tended to read the advertising in the publications they received. Reading both at work and at home suggests respondents spent considerable time on the magazine's content. And, more than half of all respondents read at least three of four issues for all magazines received, supporting the findings of previous research (Ross, 1986).

Respondents tended to scan through the magazines, which implied the opportunity to see the ads in the magazines. The results also revealed a significant, but weak positive relationship between respondents' overall thoroughness of readership and number of ads read ($rs = 0.22, p < 0.001$). Nevertheless, respondents showed high readership of advertising: 19.4% read "most of the ads" and 57.4% read "some of the ads." Because Newman and Staelin (1973) found that respondents' use of advertisements as information ranged between 15% and 30%, this suggests that the target audience's use of ads in the trade magazines would probably be greater than in general circulation magazines.

The high-tech industry is changing and developing rapidly, which might explain the high "every issue" and high "scan through" readership among the target; they never know what important report they might miss if they do not go through every issue. The relationship of trade magazines to respondents' job and the information-seeking motives provides further explanation for the high readership among the electronics target market audience. The literature suggested that there might be a relationship among frequency and thoroughness of readership and perceptions of helpfulness. A weak, but statistically significant, association between frequency and thoroughness of readership was found both for each individual magazine and all the selected magazines read by each respondent.

It was also anticipated that respondents would tend to read the magazines perceived to be most helpful more frequently and more thoroughly. A statistically significant difference in frequency of readership between those who perceived the magazine to be most helpful to them in their job and those who did not was found only for *EDN* . Regarding thoroughness of readership, Chi-square tests indicated that thoroughness of readership was associated with respondents' perceptions of helpfulness. Thus, the perception of the magazine's helpfulness was reflected in the thoroughness of readership rather than frequency of readership.

Finally, the demographic factors in this study were not as predictive as in other research. Experience, reflected by job title, number of employees supervised, and years in the industry, did not show any influence on respondents' readership. Respondents performing other functions seemed to show readership behavior different from those performing design/development engineering. Although it was found that the group performing other functions tended to have extremely high or low readership, this group represented less than 20% of the total so the finding might not be significant.

Education, in the form of the highest degree earned, was related to the thoroughness of readership but not frequency of readership. The "others" group consisting of respondents with no degree or no indication of degree (more than one-quarter of the total) had the highest percentage of respondents reading magazines from cover to cover compared with other groups. Results showed that respondents with relatively low education levels tended to have higher-involvement readership. As suggested by previous research, it might be that readers with lower education do not handle information as efficiently as those with higher education so that would likely increase the time readers spend on magazines to gather information (Fast, Vosburgh, & Frisbee, 1989; Westbrook & Fornell, 1979). On the other hand, it could also be that higher-involvement readership is because the audiences with lower education seek more information to supplement their lower knowledge level.

On the whole, there was high readership of electronics magazines among the target market regardless of job title, number of employees supervised, years in the industry, major field, and age. Job function and highest degree had some influence on respondents' readership. But, it did not affect the conclusion that the target audiences read the publication received frequently and thoroughly. This active readership implies that electronics trade magazines effectively reach the target market. Moreover, the finding that respondents tend to read the publications they receive fairly thoroughly, bodes well for the advertising in the magazines. A thorough reading pattern implies good opportunity for exposure to the advertisements. The results clearly demonstrate that electronics trade magazines are effective advertising vehicles for electronics advertisers.

Taking circulation and duplication into consideration, the implications of high magazine readership for media planning becomes complicated. The findings revealed a high duplication of coverage among the target audience—in some cases as high as 100%. Because virtually all the magazines have controlled circulation, high duplication is not surprising. High duplication among electronics magazines presents both an opportunity and a problem to media planners. The opportunity is to reduce the number of buys necessary to reach the intended audience. The problem is to choose the limited number of buys wisely. Low pass-along readership suggests that frequency of exposure to the advertising can be controlled by the number of advertising buys scheduled.

Media planners can also gain insights about how to choose the best vehicle among the available alternatives from these results. First, looking at the linkage of circulation with readership, the magazines with the highest circulation also had the highest (and most thorough) readership. Thus, circulation is a good indicator of both exposure and thoroughness of readership. Taking *EDN* for example, its audited circulation is the second largest among twelve magazines, and it reached the most respondents; it was also read most frequently and thoroughly.

On the other hand there were some magazines that reached relatively few respondents, but were read relatively more frequently and more thoroughly than magazines with a higher reach figure. *Powertechnics* is one example. It has the lowest audited circulation, but it is a magazine with considerable potential. Although it reaches relatively few respondents it was read relatively more frequently and thoroughly than the other secondary magazines. Of course, it also has the highest CPM of all the magazines.

Second, although all the electronics magazines investigated were read frequently, the best, in terms of audience's perception and attitude, are read even more regularly. Thus, the measure of perceived helpfulness and preference should be taken into account as an index of magazine selection. Among the twelve magazines, the publications considered the most helpful in respondents' work ranged from a high of 48.6% to a low of 5.9%. Only *EDN*, *EE Times*, and *Electronic Design* were ranked high when respondents were asked which magazine was the most helpful in their work and which one they would like to receive if they could only receive one publication. This finding was consistent with the suggestion of previous research that there is a wide discrepancy in the perception of helpfulness among the publications (Ross, 1986).

Third, it was empirically and theoretically supported that there was a positive association between frequency and thoroughness of magazine readership and advertising readership. The magazines read more frequently tended to be read more thoroughly, which implied higher advertising readership.

In general, the results suggest that trade magazines are effective advertising vehicles in terms of relatively high reach and readership among the target audiences. The further general implication is that media planners can select the best vehicles to deliver an ad among the competing alternatives based on the specific data gained from the study of industry-wide readership. Moreover, the results imply that audited circulation is a fair indictor of a magazine's reach and readership. Media planners can have confidence in the overall audited circulation. It is no exaggeration to say that controlled circulation reflects the number of the target audience reached by the trade magazine. But, the present study was limited to the electronics industry. Therefore, the conclusions may not be applicable to other industry-specific publications or to all other business-to-business publications. Further research is needed to prove or reject the findings' generalizability. However, the industry-wide readership is still helpful to explore potential advertising vehicles based on audience information.

Theoretically, the study did not attempt to investigate the relationship between the motive of information-seeking and trade magazine readership. Still, information-orientation toward trade magazines provides a rationale for the high readership among the target audience. The study demonstrates the predictive power of the uses and gratifications approach for trade magazine readership, and may be generalized to all information-oriented sources.

Moreover, by applying the typology of audience activity to investigate the readership of electronics trade magazines, it was concluded that there is a positive relationship between frequency and thoroughness of readership and an association between thoroughness of readership and respondents' perception of helpfulness, which provides a linkage among selectivity, involvement, and utility. The applicability of the typology of audience activity is supported by the readership of electronics trade magazines. Audience activity provides a useful measurement guideline for the investigation of uses of media.

The main question raised by the study is the validity of the relationship between thoroughness of readership and advertising readership. The high "scan through" magazine readership and advertising readership found seems to indicate an association between them. This association makes logical sense because the manner of audiences' reading magazines indicates the amount of page exposure and relates to the number of ads noticed by audiences. The critical point of the argument might be the measurement of the average level of thoroughness of reading, which treats the measure as interval data. Although it is questionable whether the respondents thought of their thoroughness of reading in terms of a continuous level, the way they were asked how thoroughly they read was consistently shown by the data and suggests the answers are a kind of interval level measure. Thus, the finding about the association between overall thoroughness of readership and advertising readership should be acceptable for advertising media planning purposes.

Conclusions

Although these results cannot be generalized to other industry-specific magazines, the results support the following points:

1. Derived from the uses and gratifications perspective, the information-orientation hypothesis provides an explanation for the high readership of electronics trade magazines.
2. The results demonstrated the predictive power of the uses and gratifications approach for studying trade magazine readership.
3. The typology of audience activity was supported by the readership of electronics trade magazines.

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Table 1. Magazine Readership Statistics.

Magazine	Overall Circulation	Magazine Rec'd	Duplication w/ EDN	Mean Issues Read (of 4)	Mean Reading Thoroughness	Corr.	Most Helpful	Magazine Preferred
EDN	138,417	83.2%	--	3.42	2.14	0.37	48.6%	37.7%
Electronic Design	150,053	77.8	89.4%	3.30	2.06	0.46	14.2	6.5
EE Times	125,535	61.8	88.7	3.38	2.15	0.29	12.9	9.0
EDN News	123,774	61.2	98.3	3.13	2.00	0.41	1.8	0.3
Electronic Products	126,035	54.0	87.6	3.18	2.09	0.50	4.9	0.0
Computer Design	100,099	37.2	87.5	2.95	1.91	0.37	2.1	0.8
Electronics	85,091	23.0	85.4	3.12	2.01	0.41	1.8	0.3
Powertechnics	26,629	19.6	88.2	3.14	2.04	0.57	1.6	0.5
Electronic News	71,421	18.6	87.5	3.10	1.87	0.47	1.3	0.5
Electronic Business	73,899	13.7	92.5	3.07	1.77	0.41	0.8	0.0
Electronic Buyers' News	61,392	11.6	80.0	2.84	1.80	0.59	0.5	0.0
Electronics Purchasing	54,676	4.7	100.0	2.37	1.68	0.50	0.3	0.8
None/Other		3.1					9.3	42.2

Notes:

N = 387

Circulation refers to overall circulation figures for the magazine.

Magazine received indicates what proportion of sample reported receiviong that magazine. Figures may add to more than 100% as individuals may receive more than one magazine.

Duplication refers to percentage of readers of magazine which also reported receiving EDN.

Issues read refers to number of issues (out of 4) reported read by those receiving magazine.

Thoroughness reports level of reading reported by those receiving magazine, where 3 = read cover to cover, 2 = scan-through for interesting items, 1 = select specific articles to read, and 0 = do not read.

Correlation refers to Spearman rank correlation of reader frequency with reader thoroughness. All correlations are statistically significant at a level of $p < .05$.

Most helpful reports percentage of respondents indicating that magazine is the most helpful to them.

Preferred reports percentage of respondents who reported magazine as the one magazine they would prefer to receive.

Table 2. Sample Characteristics

	Percent
Job Function	
Design/Development Engineering	80.1%
Engineering Services	4.9
Engineering Assistance	1.3
Other Engineering	1.8
Basic Research	3.4
Corporate Management	3.6
Purchasing	0.3
Marketing and Sales	0.3
Manufacturing/Production	1.6
Other	2.9
Job Title	
Senior Engineer	19.1
Design Engineer	7.5
Principal Engineer	3.6
Research Engineer	1.8
Engineer	12.7
Other Engineer	18.1
Technicians	3.6
President/Owner	4.7
Director/Manager	11.6
Various Supervisor	2.6
Various Specialist	2.6
Various Staff	0.8
Others	11.2
Number of Employees Supervised	
0 to 4	74.2%
5 to 9	16.0
10 to 24	6.5
25 to 49	1.6
50 or more	1.3
No Answer	0.5
Years in the Industry	
0 to 2	8.5%
3 to 5	10.3
6 to 10	23.0
11 or more	56.3
No Answer	1.8

	Percent
Job Function	
Age	
18 to 24	1.8%
25 to 34	30.8
35 to 44	28.9
45 to 54	23.4
55 to 64	10.3
65 or older	4.7
Highest Degree Earned	
Ph.D.	3.9%
M.S.	27.1
M.B.A.	0.8
B.S.	39.8
B.A.	1.3
A.S./A.A.	8.8
Other	2.1
No Answer	16.5
Field in Which Degree was Earned	
Electrical Engineering	50.9%
Electronics	13.2
Computer	3.6
Electrical/Electronics	0.8
Other Engineering	3.1
Math/Physics	6.2
Management	1.3
Other	3.6
No Answer	17.3

TABLE 3. Frequency Distribution: Readership of Selected Electronics Magazines in Terms of Issues Read.

	Frequency/Percent					
Magazine	Every Issue	3 of 4	2 of 4	1 of 4	None	N*
EDN	217/67.6	50/15.6	30/9.3	22/6/9	2/0.6	321/100.0
Electronic Design	170/56.9	69/23.1	40/13.4	19/6.4	1/0.3	299/100.1
EE Times	145/60.4	56/23.3	25/10.4	14/5.8	0	240/99.9
EDN News	122/52.8	47/20.3	36/15.6	24/10.4	2/0.9	231/100.0
Electronic Products	104/49.5	57/27.1	31/14.8	18/8.6	0	210/100.0
Computer Design	62/41.9	37/25.0	30/20.3	18/12.2	1/0.7	148/100.1
Electronics	51/51.5	21/21.2	16/16.2	10/10.1	1/1.0	99/100.0
Powertechnics	49/58.3	10/11.9	16/19.0	6/7.1	3/3.6	84/99.9
Electronic News	36/46.8	21/27.3	12/15.6	8/10.4	0	77/100.1
Electronic Business	29/48.3	15/25.0	7/11.7	9/15.0	0	60/100.0
Electronic Buyers' News	20/44.4	12/26.7	4/8.9	4/8.9	5/11.1	45/100.0
Electronics Purchasing	8/29.6	6/22.2	4/14.8	6/22.2	3/11.1	27/99.9

TABLE 4. Frequency Distribution: Readership of Selected Electronics Magazines in Terms of Reading Patterns.

	Frequency /Percent				
Magazines	Cover to Cover	Scan Through	Select From Content	Do not Read	N*
EDN	77/24.1	212/66.5	29/9.1	1/0.3	319/110.0
Electronic Design	64/21.5	190/64.0	41/13.8	2/0.7	297/100.0
EE Times	50/20.7	177/73.4	14/5.8	0	241/99.9
EDN News	35/15.2	167/72.3	25/10.8	4/1.7	231/100.0
Electronic Products	50/24.5	125/61.3	27/13.2	2/1.0	204/100.0
Computer Design	16/10.7	106/70.7	27/18.0	1/0.7	150/100.1
Electronics	18/18.2	64/64.6	17/17.2	0	99/100.0
Powertechnics	22/26.8	46/56.1	10/12.2	4/4.9	82/100.0
Electronic News	9/11.7	50/64.9	17/22.1	1/1.3	77/100.0
Electronic Business	5/8.3	37/61.7	17/28.3	1/1.7	60/100.0
Electronic Buyers' News	6/12.2	34/69.4	2/4.1	7/14.3	49/100.0
Electronics Purchasing	2/7.1	18/64.3	5/17.9	3/10.7	28/100.0

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* May not total 100% due to rounding.

* May not total 100% due to rounding.

TABLE 5. Frequency Distribution, Chi-Square, and Spearman Rank Correlation: Average of Respondent's Overall Readership in Terms of Frequency and Thoroughness.

Overall Reading Frequency***	Overall Thoroughness of Reading* Light (%) ****	Moderate (%)	Heavy (%)	N =** (%)
Less than 1.5/4	20 (5.2)	11 (2.8)	0 (0.0)	31 (8.0)
1.5 - 2.5/4	19 (4.9)	34 (8.8)	0 (0.0)	53 (13.7)
2.5 - 3.5/4	16 (4.1)	116 (30.0)	12 (3.1)	144 (37.2)
3.5 - 4/4	5 (1.3)	118 (30.5)	36 (9.3)	159 (41.1)
N =	60 (15.5)	279 (72.1)	48 (12.4)	387(100.0)

$X^2 = 113.18$, $df = 6$, $p < 0.001$

Spearman $rs = 0.38$, $p < 0.001$

TABLE 6. *T*-Test: Difference of Reading Frequency Between Two Groups, Respondents who Perceive a Particular Magazine to be the Most Helpful and Those who do not, for *EDN*, *EE Times* and *Electronic Design*.

	N	Mean	Std Dev	Std Error	Min.	Max.
EDN						
Group I*	188	3.67	0.74	0.05	0.00	4.00
Group II**	133	3.08	1.12	0.10	0.00	4.00

$t = 5.29$, $df = 211.0$, $p < 0.001$

	N	Mean	Std Dev	Std Error	Min.	Max.
EE Times						
Group I	48	3.60	0.64	0.09	2.00	4.00
Group II	192	3.32	0.94	0.07	1.00	4.00

$t = 1.93$, $df = 238.0$, $p < 0.1$

	N	Mean	Std Dev	Std Error	Min.	Max.
Electronic Design						
Group I	55	3.51	0.84	0.11	1.00	4.00
Group II	244	3.25	0.97	0.06	0.00	4.00

$t = 1.84$, $df = 297.0$, $p < 0.1$

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[*] Average of thoroughness of reading of all magazines for each respondent, calculated by a four-point scale: 3 = read cover to cover, 2 = scan through for interesting items, 1 = select specific articles from contents, 0 = do not read. Average less than 1.5 = "Light," average between 1.5 and 2.5 = "Moderate," average more than 2.5 = "Heavy."

[**] May not total 100% due to rounding.

[***] Average of reading frequency of all magazines for each respondent, calculated by a five-point scale: 4 = every issue, 3 = 3 of 4 , 2 = 2 of 4, 1 = 1 of 4, 0 = do not read.

[****] Percentage of the total.

[*] Respondents who perceive a particular magazine to be the most helpful.

[**] Respondents who do not perceive a particular magazine to be the most helpful.

TABLE 7. Chi-Square: Difference of Thoroughness of Reading Between Two Groups: Respondents who Perceive a Particular Magazine to be the Most Helpful and Those who do not, for *EDN*, *EE Times* and *Electronic Design*.

	Overall Thoroughness of Reading[*]			
	Light	Moderate	Heavy	N[**]
EDN	(%)[***]	(%)	(%)	(%)
Group I[****]	11 (3.0)	117 (32.1)	60 (16.5)	188 (51.7)
Group II	71 (19.5)	90 (24.7)	15 (4.1)	176 (48.4)
N =	82 (22.5)	207 (56.9)	75 (20.6)	364(100.1)

$X^2 = 74.11$, $df = 2$, $p < 0.001$

EE Times	(%)	(%)	(%)	(%)
Group I	5 (1.4)	29 (8.0)	16 (4.4)	50 (13.7)
Group II	138 (37.9)	143 (39.3)	33 (9.1)	314 (86.3)
N =	143 (39.3)	172 (47.3)	49 (13.5)	364(100.0)

$X^2 = 28.87$, $df = 2$, $p < 0.001$

Electronic Design	(%)	(%)	(%)	(%)
Group I	6 (1.7)	33 (9.1)	16 (4.4)	55 (15.1)
Group II	111 (30.5)	151 (41.5)	47 (12.9)	309 (84.9)
N =	117 (32.2)	184 (50.6)	63 (17.3)	364(100.0)

$X^2 = 15.43$, $df = 2$, $p < 0.001$

TABLE 8. Chi-Square and Spearman Rank Correlation: Relationship Between Thoroughness of Readership and Number of Ads Read.

	Few Ads	Some Ads	Most Ads	N[*]
Overall Thoroughness of Reading[**]	(%)[***]	(%)	(%)	(%)
Light	14 (3.9)	28 (7.7)	5 (1.4)	47 (13.0)
Moderate	46 (12.7)	172 (47.5)	53 (14.6)	271 (74.9)
Heavy	5 (1.4)	22 (6.1)	17 (4.7)	44 (12.2)
N =	65 (18.0)	222 (61.3)	75 (20.7)	362(100.1)

$X^2 = 15.32$, $df = 4$, $p < 0.01$

Spearman $rs = 0.21$, $p < 0.001$

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[*] Average of thoroughness of reading of all magazines for each respondent, calculated by a four-point scale: 3 = read cover to cover, 2 = scan through for interesting items, 1 = select specific articles from contents, 0 = do not read. Average less than 1.5 = "Light," average between 1.5 and 2.5 = "Moderate," average more than 2.5 = "Heavy."

[**] May not total 100% due to rounding.

[***] Percentage of the total.

[****] Group I: Respondents who perceive a particular magazine to be the most helpful. Group II: Respondents who do not perceive a particular magazine to be the most helpful.

[*] May not total 100% due to rounding.

[**] Average of thoroughness of reading of all magazines for each respondent, calculated by a four-point scale: 3 = read cover to cover, 2 = scan through for interesting items, 1 = select specific articles from contents, 0 = do not read. Average less than 1.5 = "Light," average between 1.5 and 2.5 = "Moderate," average more than 2.5 = "Heavy."

[***] Percentage of the total.

TABLE 9. Chi-Square: Relationship Between Job Characteristics and Readership.

	Job Function Design/Development Engineering	The Rest	N
Overall Reading Frequency*	(%)**	(%)	(%)
Less than 1.5/4	20 (5.2)	11 (2.8)	31 (8.0)
1.5 - 2.5/4	46 (12.7)	11 (2.8)	53 (13.7)
2.5 - 3.5/4	122 (31.5)	22 (5.7)	144 (37.2)
3.5 - 4/4	126 (32.6)	33 (8.5)	159 (41.1)
N =	310 (80.1)	77 (19.9)	387 (100.0)

$X^2 = 6.75, df = 3, p < 0.09$

Overall Thoroughness of Reading***	(%)	(%)	(%)
Light	42 (10.9)	18 (4.7)	60 (15.5)
Moderate	231 (59.7)	48 (12.4)	279 (72.1)
Heavy	37 (9.6)	11 (2.8)	48 (12.4)
N =	310 (80.1)	77 (19.9)	387 (100.0)

$X^2 = 5.38, df = 2, p < 0.07$

TABLE 10. Chi-Square: Relationship Between Highest Degree and Respondents' Overall Thoroughness of Reading.

	Highest Degree Ph. D	Master	Bachelor	Other*	N
Overall Thoroughness of Reading**	(%)***	(%)	(%)	(%)	(%)
Light	5 (1.3)	15 (3.9)	26 (6.7)	14 (3.6)	60 (15.5)
Moderate	9 (2.3)	81 (20.9)	119 (30.8)	70 (18.1)	279 (72.1)
Heavy	1 (0.3)	12 (3.1)	14 (3.6)	21 (5.4)	48 (12.4)
N =	15 (3.9)	108 (27.9)	159 (41.1)	105 (27.1)	387(100.0)

$X^2 = 118, df = 6, p < 0.07$

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* Average of reading frequency of all magazines for each respondent, calculated by a five-point scale: 4 = every issue, 3 = 3 of 4 , 2 = 2 of 4, 1 = 1 of 4, 0 = do not read.

** Percentage of the total.

*** Average of thoroughness of reading of all magazines for each respondent, calculated by a four-point scale: 3 = read cover to cover, 2 = scan through for interesting items, 1 = select specific articles from contents, 0 = do not read. Average less than 1.5 = "Light," average between 1.5 and 2.5 = "Moderate," average more than 2.5 = "Heavy."

* Including respondents without degree or no specific indication of degree.

** Average of thoroughness of reading of all magazines for each respondent, calculated by a four-point scale: 3 = read cover to cover, 2 = scan through for interesting items, 1 = select specific articles from contents, 0 = do not read. Average less than 1.5 = "Light," average between 1.5 and 2.5 = "Moderate," average more than 2.5 = "Heavy."

*** Percentage of the total.

"What Did You Do During the War, Mother?"
Propagandistic Communications in Crisis Situations: Press Images of Israeli Women in Wartime

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Abstract

The Arab-Israeli wars perpetuated traditional role-definitions in Israeli society. The Israeli press played an important part in reinforcing these attitudes during wartime. With its emphasis on the masculine roles of warriors and protectors, the press reaffirmed the greater cultural value attached to male activities. Findings of this study indicate that wartime women were primarily presented as being occupied with home-care responsibilities and as the submissive mates of the servicemen.

> "Some of the lesser reforms advocated by the most ardent and vociferous members of the Women's Liberation Movement in the U.S. have long been the accepted fact in Israel... Today a woman, Mrs. Golda Meir, is Prime Minister... Women rank high in the professions, particularly in the legal fields and strangely enough in engineering and journalism... Much of the scientific research at the Hebrew University and the Weizmann Institute of Science is conducted by women" (Aliyah News and Views, 1971, p. 2).

With the rise of feminism in the Western world images of Israeli women played a prominant role in the depiction of an idealistic society in which both sexes are equals: Israeli women are conscripted into the army, a woman was prime-minister and women are members of the egalitarian kibbutzim. Likewise, the official Israeli stand on women's rights submits that most rights are enjoyed equally by men and women. Plea Albeck, then the Senior Deputy State Attorney with the Ministry of Justice of Israel, wrote in 1972: "Perhaps the best indicator of the status of women in Israel is the fact that the subject "women's rights" rarely attracts public attention, for most rights are enjoyed equally by men and women" (p. 693). Yet scholars who study the position and status of women in Israel argue that the assumption of achieved equality reflects myth, not reality. Concurrently, Pnina Lahav (1974) asserts that "Israeli attitudes towards women are traditional, reflecting the bourgeois model developed in the Western world; also that women play a negligible role within Israel's power elite" (p. 128). In a study of Israeli women in politics, Shevach Weiss and Yael Yishai (1980) found that "women are heavily underrepresented in all political institutions" (p. 174). Even in the sphere of labor force participation, Israeli women have not achieved a higher degree of equality than their peers in the Western industrial countries (Padan Eisenstark, 1973).

The purpose of this study is to examine the issue of public images of Israeli women. Specifically, this study deals with wartime images of women as found in the Israeli press in two periods: the 1967 War and the 1973 War. The verbiage of the press content needs to be examined not only to contrast the myth about women in Israel with reality, but also to investigate the use of the print media as a propagandistic instrument in times of crisis. The analysis, within a theoretical framework of crisis theory (Barton, 1962; Lipman-Blumen, 1973; Erickson, 1976), will also illuminate the power of the media to direct social dynamics within a society by propagating certain sex roles. In order to examine that process, I shall first review women's position in Israel; second, examine the relevant aspects of crisis theory; third, report on the data collected in this study; and, finally, argue that the wartime Israeli press reinforced traditional sex-role images by portraying women as frantic housewives, submissive wives and helpless mates.

The Status of Women in Israel

1. The Legal System

The Israeli Declaration of Independence of 1948 states that "there shall be full political and social equality for all citizens irrespective of religion, race or sex". However, since Israel has no constitution, this document is not binding. It was not until the Women's Equal Rights Bill was passed by the first Knesset in 1951 that the Declaration could be implemented.

The Equal Rights Bill declares that "with regard to any legal act, the same law shall apply to a woman and a man, and any provision of law that discriminates against women shall be of no effect" (Israeli Laws, 1951). The bill gives a woman equal rights to the custody of her children and annuls discriminatory provisions of an earlier Succession Act. However some aspects of the bill are considered too regressive. For instance, marriage and divorce still remained under the jurisdiction of the religious courts. Lahav, a critic of the law, laments that the law "gutted the concept of genuine sex equality and left little to be challenged through litigation" (p. 119).

Domestic relations legislation - in Israel the religious tribunals, where all judges are male, have exclusive jurisdiction over matters of marriage and divorce. Women cannot sit on religious councils or be members of rabbinical courts even though these bodies are financed by the state. The religious laws even prevent women from appearing as witnesses in rabbinical courts.

The legal code of the rabbinical courts is the orthodox Halacha. The Halacha is summarized in the Shulchan Aruch which was implemented as long ago as the seventeenth century. Following are several cases which demonstrate the application of the Jewish Halacha to Israeli family life:

* women whose husbands have disappeared and whose whereabouts are unknown are ineligable for remarriage

since, under Jewish law, only the husband can dissolve the marriage.

* if a man dies without an heir his brother has to marry the widow, so as to ensure continuity of the dead brother's name. In modern Israel this law is seldom practiced. Instead use is made of an ancient custom in which the brother and the widow exchange prescribed phrases and spit on the floor, followed by the woman's kneeling to take the shoe off the man's foot. Only than is the woman free to remarry.

* a married woman who has had a romantic relationship with another man is forbidden to marry the latter, even after her marriage has been dissolved. The most famous case based on this restricition is that of Rachel Dayan, the second wife of Moshe Dayan. Her divorce decree from her former husband specifically forbade her to marry Dayan. Yet Dayan, one of Israel's most influential politicians, managed to bypass this obstacle and the couple were married by a military rabbi in 1973.

* unilateral divorce by the husband is permitted, should a religious tribunal sanction such act. No such possibility exists for a woman. The Israeli legislation has tried to improve women's lot by stating that a husband who refuses to grant his wife a divorce can be put in prison until he changes his mind. However, this can only provide some consolation for the

wife who wishes to divorce him.

* children born of a forbidden relationship, such as a child born to a married woman and her lover, are considered bastards and are ineligable to marry Jews.

Labor and welfare legislation - special protection was granted to female workers by the Women's Labor Bill which was passed in 1952. According to this law women could not work in industries connected with lead. Neither could they work in the proximity of, or operate, dangerous machinery. Women were not allowed to work night shifts, except for those employed as nurses, waitresses or maids or those who obtained a special permit from the Ministry of Labor (Israeli Laws, 1952). The law also provides regulations concerning pregnancy and child birth, among them a twelve-week maternity leave. A working mother who breastfeeds her baby is entitled to an hour's absence from work every day without any loss of pay.

Israel's Equal Pay Law of 1964 provides that an employer should pay female employees the same wages as male employees for performing the same jobs (Israeli Laws, 1964). In 1973 the law was amended to include work which is essentially equal. However, in reality the earnings gap did not significantly close. In 1980 the gross income per hour from wages and salary of an urban female employee was 80 percent that of an urban male employee (Nundi-Izraeli, 1983).

In 1981 the Knesset passed the Equal Opportunity Law. The law forbids discrimination because of sex, marital or parental status. Also the law prohibits advertising jobs or vocational training unless they are described in terms applicable to both sexes.

2. Women's Participation in the Labor Force

In the first years of the state, women worked less often outside their home than they did in the 1920's and the 1930's. By 1956, only 23 percent of the work force were women (Eisin, 1975). In 1967, the year of the Six Day War, the rate of working women increased somewhat and in 1980 the female labor force reached 35.7 percent. Among Jewish women over 17 years of age, it reached 44.2 percent (Statistical Abstract, 1981).

However, Israel's labor force is heavily sex-segregated. Dafna Nundi-Izraeli found that "in 1980, every second woman in Israel was employed in one of the following eight occupations (out of a list of 90): teachers and principals in secondary and post-secondary institutions; teachers and principals in intermediate schools, primary schools and kindergartens; social workers or probation officers; nurses or paramedical workers; bookkeepers, secretaries, typists and key-punch operators; general office workers; sales workers" (p. 73). By 1983, approximately 75 percent of working women were employed in female occupations.

Theoretical Framework

In this paper crisis is conceptualized as a sudden change in a social system. The change can be expected or unexpected, can encompass all or part of the system and the inputs may be physical conditions, economic relationships, power relationships or the belief system of the population involved (Barton, 1962). This dramatic event or force can overburden and sometimes paralyzes the community's abilities to respond (Thompson and Hawkes, 1962; Erickson, 1976).

Paramount to this study is Lipman-Blumen's role de-differentiation scheme and its alternatives (1973). This type of response to crisis involves mobilization of resources underutilized in times of stability. In this case, "certain roles traditionally have been differentiated in terms of restricted occupancy and undergo de-differentiation when the criteria for selection of role occupants change" (p. 126). Women's participation in the labor force in the United States during World War II is an example of role de-differentiation as a system response to crisis.

Crises are not always met by role de-differentiation. Lipman-Blumen identifies six alternative responses to crisis that involve change in sex roles. They are: (1) various forms of collective behavior such as panic and crazy hostile expressions; (2) role expension; (3) role depletion; (4) immobilization of social resources; (5) role highlighting of status and power of individuals who are thought to have potential for dealing with the crisis; (6) increased role differentiation.

Methodology

Six daily newspapers were chosen for investigation: Ma'ariv, Yediot Achronot, Ha'aretz, Davar, Hatzofe, and The Jerusalem Post. The first two dailies had the largest readership and were the only two evening newspapers existing in Israel at the time discussed here. The others were morning newspapers. All exist today. Ha'aretz is considered an independent, liberal morning newspaper while the other two Hebrew morning papers, Davar and

Hatzofe, serve as the organ of the Labor party and the National Religious party, respectively. The Jerusalem Post, an English morning newspaper, enjoys the largest non-Hebrew readership in Israel.

Publication dates for the selected articles cluster around four periods: 1966, May-June 1967, 1972, and October-December 1973. Nineteen sixty six was chosen to provide a check for the initial images of women in the daily papers. The year 1972 was chosen for examination of press images of women before the 1973 War. Both wartime periods spanned the wars and their immediate aftermath.

The methodology used in this study combines quantitative and qualitative content analysis. Relevant articles were examined in depth to identify both implicit and explicit messages. This practice also made it possible to single out a particular focus and to compare this focus in different kinds of articles. Every sixth-day sample was drawn from the six daily newspapers in the 1966 and the 1972 periods. This method, used also by Davis & Turner (1952), did not introduce a weekly cycle since all these papers had Sunday editions. No random sampling within the documents was taken from the 1967 and the 1973 wars' periods. Instead every single issue was scanned. Overall, 1355 newspaper issues were included in this study.

Items containing any reference to women were coded for presence of a role type. A role was defined as a social position, either stated or implied, in which a woman was pictured or toward which she was urged to strive. Susan Miller's role classification (1975) was used with some modifications designed to highlight the special characteristics of a war situation. Roles were classified in 10 categories: 1) politician/public official; 2) professional; 3) soldier; 4) nurse; 5) entertainer/celebrity; 6) volunteer/advocate; 7) spouse; 8) mother; 9) housewife; 10) other. Table 1 defines the role categories.

[insert Table 1 about here]

Findings were based on the number of unique or different roles which appeared rather than the frequency with which a single role itself appeared. This coding system was also used by Ole Holsti (1969).

In developing the operational set of categories used in this paper, I needed to distinguish between the different domains governing a woman's life. This is of importance to the study since the differences between various role-orientations provide the necessary framework for an examination of women's position in any society (Sanday, 1974; Rosaldo, 1974; Dobrofsky, 1977). Such consideration resulted in grouping women's roles into three categories: domestic, marginal and public. The domestic domain includes the roles of spouse, mother and housewife. The public domain includes the following role-classifications: politician, public official, soldier, nurse, entertainer and professional. The marginal domain consists of the role of a volunteer.

Data Analysis

I. During both wars, the press focused on women's domestic roles. In contrast, during the prewar periods, women's non-domestic roles solicited more press coverage.

During the 1967 War, domestic roles notwithstanding, women's marginal roles received greater attention from the press than they did six years later during the 1973 War. During that war women's public roles were covered more often than their marginal roles. Table 2 presents the distribution of recorded entries by role-domains.

[insert Table 2 about here]

II. Women as spouses were portrayed in the press more than in any other gender-related role, during both wars. In the 1967 War phase, the role of a spouse was depicted in one-third of all stories about women in all six newspapers. During the 1973 War phase, women were portrayed as spouses in a quarter of all recorded entries.

The portrayal of Israeli women as volunteers came in second, in both wartime periods. Women in this capacity were mentioned more times in the 1967 War than in the 1973 War.

During the 1967 War, women soldiers were the third major category to catch the attention of the daily press. Six years later, during the 1973 War, mothers and professionals took third place in the role category hierarchy. Table 3 summarizes the number of times items about women, in each role category, appeared in the six daily papers during the 1967 and the 1973 wars.

[insert Table 3 about here]

III. In both prewar periods, women were depicted as professionals more often than in any other role. The role category of a spouse came in second place in the 1966 phase as well as in the 1972 phase. Table 4 shows the distribution of role categories during the time period before each war.

[insert Table 4 about here]

IV. Further categorization of the specific characterstics of each role reveals that brides accounted for half of the stories about women as spouses published in the 1967 War period. Brides were also very popular with the daily press in the period before that war.

Although the number of stories about brides declined in the 1973 War period, this subject remained popular with reporters during that year's military conflict.

The role of a mother was also emphasized by the daily press during both wars. Table 5 presents the number of newspapers items about women in the domestic domain in each war.

[insert Table 5 about here]

Discussion

In the mid 1960's, before the 1967 War erupted, a new self-realization of the post-pioneering period was remarked upon in the Israeli press. It reflected a concern for economic stability and a better life style. The demands of day-to-day living in a predominantly urban setting seemed more to the point than being a pioneer. The main concern of writers in that period was not the equality between women and men, but rather the conception of separate spheres and duties for the two sexes. This did not mean that women were restricted to the home - working women were featured regularly in the press especially those who worked in untraditional, masculine jobs - but that their major influence on society was exerted through the medium of the family. "A woman's primary obligation is to her husband and children. But she can always find time to step out from the framework of her family," argued Sarah Herzog, the winner of the "Mother of the Year" contest in a newspaper interview (Gootkind, 1966, p. 8). The press encouraged women to conform to existing norms of domestic maintenance. "How To" columns began to occupy almost the entire women's section, helping to convert the routines of cooking, cleaning, and bearing children into a religion. Writers of these columns seemed to be urging women to develop new skills as professional nutritionists, decorators and childcarers. A 600 page guide for young housekeepers received raving reviews in the press. The guide included advice from how to choose a winter blanket to how to plan a family budget (Chen, 1966).

Prewar images of women's domestic responsibilities did not change much from 1966 to 1972, the year before the Yom Kippur War. In fact, the similarities in content, tone and style of articles about women between the two periods are striking. The Six Day War, in which hundreds of soldiers were killed, did not seem to leave a mark on the way women were portrayed in the press. Women were still depicted as satisfied with their lot. The following is from an op-ed piece written by a female reporter in Ha'aretz: "I prefer the old system, without the `liberation' when the man was masculine and the woman was feminine. Women enjoy feminine pleasures not understood by men, like wearing a new dress (not very intellectual or liberated!), chatting foolishly, arranging flowers, reading emotional novels, eating chocolate and having other similar pleasures. And for this, I will give up soccer games, technical understanding, and the masculine look" (Meroz, 1973, p. 21).

This one-dimensional presentation of prewar women set the tone for press coverage of Israeli women during the wars. In wartime, first and foremost, women fulfilled their duty to their people as wives and mothers. The press portrayed the Israeli woman as a heroic war mother who taught her son how to be brave. "Mother brought us up to be soldiers," said a regiment commander who was quoted in the press a few days before the 1967 War (Lev, 1967, p. 5). Also, a mother of five soldiers expressed her feelings in the following manner: "When I felt my baby kicking inside me, I used to sing to him: 'Kick son, kick, and when you come out you will be an Israeli hero and you will kick out all the enemies of Israel" (Cohen, 1967, p. 17).

In the 1967 press, the wartime mother evoked an image of a symbolic womb. Geula Cohen, when interviewing a mother, noted that "without raising my eyes to the face of Mother Biton, I thought that instead of her face I was seeing one big womb. Warm, soft, flowing and alive" (p. 17). This symbol was used often even in later years. In the aftermath of the Yom Kippur War, during the political campaign to reform the existing abortion law, Amos Kenan (1975), an Israeli political satirist, wrote about the use of the womb symbol for political and national purposes. "As to the holiness of life..." he wrote, "many wrong deeds were done in its name. One of them is the suppression of the woman and making her a tool in the hand of the state. The womb of a woman belongs to the motherland, but a man is free to do as he pleases" (p. 10).

Motherhood was also promoted in an indirect way, by upholding marriage (and consequently parentood) as the key to happiness for a woman. Repeated reports of weddings, both at the front and back at home, were documented in the daily papers throughout the 1967 War and the 1973 War. Such a story typically revolved around the surroundings of an unplanned wedding. These weddings took place in hospitals, in the Golan Heights front and near the Egyptian border.

Editors favored stories of wartime weddings since they demonstrated the relationship between marriage and national security. In a civilian Jewish wedding, the canopy is held by four poles. In a soldier's wedding, rifles are subtituted for poles, as they were at the first Jewish wedding in Schem, a West Bank town, during the Six Day War (Chatuna yehudit, 1967). In another wedding, during that war, the canopy was placed on a command car (Engel, 1967). Immediately after the fighting stopped in the 1973 War, a wedding took place in a Syrian territory in which the canopy was placed on three rifles (Hareuveni, 1973).

Married women were depicted as depending on their husbands to support them. According to Schwartz (1976), this dependency is well anchored in the Jewish culture in which the Jewish wife is not allowed to be vocationally more successful than her husband. Correspondingly, a journalist, describing the behavior of Brigadiers' wives, during the 1967 War, wrote that these wives "are proud of their husbands and look upon themselves - rightly so - as active partners in their achievements and their personal advancements in the military hierarchy. Public admiration of their husbands gives them a feeling of compensation. The wife knows, as well as her husband, that being his faithful companion plays a big part in his success" (Levin, 1967, p. 35). Marcia Freedman (1977), an American who immigrated to Israel and later became a member of the Knesset and the leader of the country's young feminist movement, argued that the state of the relationship between Israeli men and women is a direct consequence of the Zionist idea of creating a new Jew who "is physically strong, unafraid to fight, able to defend himself, a heroic, stoic citizen-soldier. That citizen-soldier who is, of course, a male, needs a wife (and a mother) who is also stoic but not heroic and neither citizen or soldier" (p. 18). Freedman laments that Zionism reinjected machismo in a very central place in its ideology. According to her, "machismo was and still is a Zionist idea... for a man cannot be a he-man unless a woman is a she-woman - subordinate, subservient, clinging, the leaner-on and not the leaned-on, dependent, passive, timid, obedient and dressed in buttons and bows" (p. 17).

The husband-wife relationship was also compared to the relationship between mother and son (Banai, 1967). "Many men, coming back from the Yom Kippur War, were like little children. Women had to act like mothers to them," said one young woman to a reporter when asked about the effects of the war on her husband (Epstein, 1975, p. 69).

With domesticity the ideal, women's ability to manage their homes was questioned. During the month of May in 1967, just before the fighting, housewives frantically emptied supermarkets' shelves in preparation for the war. The press discussed this behavior, criticizing the home front's women extensively. Women were accused of buying things they did not need and accumulating food that could spoil (Porat, 1967). One female newsreporter even coined the term "insecticide" to describe a woman going after her "prey" in a supermarket (Elyagon, 1967a, p. 11). Immediately after the 1973 War, a speech given by the general director of one of Israel's largest corporation was publicized in the press. The speaker scolded women for not helping with the postwar economy accusing them of spending rather than saving money (Amit lanashim, 1973).

While traditional sex roles were paramount, women were reminded to preserve a feminine look. A woman who kept her figure, her humor and her appearance, no matter how tough the going, was depicted in the press as an exemplary model of behavior (Noyman, 1967; Elyagon, 1967b). During the 1973 War, a woman's appearance was deemed so important that women, who could little afford necessities, somehow found the money to pay for make-over services. A receptionist, mother of a three year-old girl, who was forced to take an unpaid leave from her job, was interviewed about her financial problems in a beauty parlor (Porat, 1973b). A graphic artist, whose monthly income was drastically cut after a forced leave without pay, still insisted that she would not touch her cosmetic budget (Porat, 1973b).

The press presented very few accounts of women working in factories. When the newspapers did print stories about female welders their jobs were not the focus of the articles. Instead, their family roles were emphasized. In its article about women working in factories, Davar, the Israeli Labor Union's paper, emphasized the fact that the workers were grandmothers of soldiers (Savtot Ovdot, 1973). Consequentially, it was not expected that working women would retain permanent jobs after the war was over. Those who filled in for their husbands were to return to domesticity with little or no regret (Tzidkoni, 1973).

Israeli women, with the exception of Golda Meir, the prime-minister of Israel during the 1973 War, were not portrayed in political roles during wartime or even actively participating in the political process. Instead, serving in the army was the basis of their public role. Servicewomen received a great deal of publicity during both wars, especially during the 1973 War. Although debated in the U.S. quite heatedly, combat duty for female soldiers was virtually not an issue for the Israeli press or for the public in wartime. Tamar Avidar, a journalist, argued that it is not realistic to expect women to equal men in combat because of physical limitations. She also expressed a fear, common to those who opposed the participation of women in combat, that women may be captured by the enemy and raped (Goodmam & Lord, 1980). Furthermore, the press went to great length, during both wars, to emphasize that there were no female soldiers at the front. During the 1973 War, some rumors circulated in Israel that female soldiers were being taken captive. The Israeli dailies saw it their mission to confront these rumors and reassured the public that servicewomen were only performing the same duties that they ordinarily did in peacetime. Their administrative work was praised as important and essential to the war effort (Porat, 1973a).

The media limited its vision of female soldiers' capabilities and responsibilities by focusing on their traditional roles and feminine characterstics. Typical wartime activities of female soldiers, as described in the press, included making coffee and sandwiches, and delivering newspapers to the soldiers (Ben-Gur, 1973). These tasks were perceived as an extension of women's roles at home. "The female soldier in these places represents mothers, sisters, and girl-friends [of the male soldiers. Thus] she boosts the morale," explained Ruth Muscal, the Chief of the Women's Corps (Ben-Gur, 1973). She herself was called "the mother of the Women's Corps" by another journalist (Karni, 1973, p. 6). On similar lines, a young female soldier described her feelings to a reporter, saying that as a result of her work in the military, her motherly instincts were much more developed. Her job's responsibilities, as described by her, included doing the laundry, sewing buttons, hugging and kissing (Karni). Servicewomen certainly seemed content with these stereotypes. As Ruth Muscal summarized the 1973 War experience for her female soldiers, "in spite of what is thought, the girls are not glad to fill other duties" (Goren, 1973, p. 12).

Newspapers stories also stressed servicewomen's sexuality, considering feminine appearance an asset. "Servicewomen met soldiers that were speechless for long seconds till they believed that they, at last, had met again the beautiful sex," read one news report during the 1967 War (Hachayalot badarom, 1967, p. 7). Another report described female soldiers as "tall, smiling, glamorous [women], dressed in many colors, not in khaki. Their typical attire - skin-tight pants and an even tighter sweater" (Bachurot batayeset, 1967, p. 4). Even a profile of the head of the Women's Corps, during the war, mentioned her appearance: "Her hair is styled. Eventhough her working day continues well into the night, she still looks fresh " (Avidar, 1973, p. 14).

Since Israeli women were not asked to work at paid-employment, during the war, housewives were expected to make time for a variety of voluntary activities ranging from changing hospital beds to selling war-bonds.

Volunteers' jobs were reported by the daily press on the basis of conventional ideas and appropriate sexual stereotypes. Male volunteers were generally reported as auxiliary policemen and firemen, while women were portrayed doing clerical work, coordinating salvage activities and cooking for the soldiers in the front. Popular commentary saw women's activities as "loaded with motherly instincts as they made packages that brought soldiers the smell of home" (Hoz-Peles, 1967). Accordingly, female volunteers were also called "Aunts" (Knispel, 1967, p.4).

The stereotypical Jewish mother is known for her reliance on food as a way of showing her ability to take care of her family. Therefore, cooking was considered a duty of Israeli women during wartime. The cake became a symbol of the link between the family and the front. A commander of an armed-unit in the front commented that "if a tank crew is armed not only with artilary but also with a fresh cake from home, no one will stand in its way. The home and the soldier are one" (Tevet, 1967, p. 3). A more active group of female volunteers even adopted specific army units and supplied their entire culinary needs. Similarly, a volunteer who was called by a reporter "Aunt Olga" took over a field hospital's kitchen (Knispel, 1967) while a group of women from the northern town of Afula took over a kitchen unit in the south. They did not only take care of the cooking, but also served the soldiers as well (Neshei Afulah, 1967).

On the the eve of the Six Day War, the National Council for Accident Prevention, a non-profit organization, offered to recruit and train women who had a bus driver's license. The government, bus companies, and the army did not follow up on this suggestion. Only at the end of this war, when the shortage of drivers in the home front became acute did the press turn its attention to this kind of volunteering work. Driving a bus was regarded as a man's job. Some newsreporters expressed a concern that women could not drive "big machines." In an interview of a graduate of a bus-driving course, a reporter complimented a woman on her driving, saying that "she drove and behaved exactly like her male co-workers" (Kliger, 1967, p. 4). In the same article the reporter reassured his readers that this experience does not lead to a new career since the woman's post-war plans are "to manage the house, to bring up her ten year-old son, and also to take care of her husband, a high-ranking army officer."

The 1973 Yom Kippur War put a heavier burden on the Israeli economy than the 1967 Six Day War since it was a longer conflict. However, as in the previous war, there was no organized women volunteer force to take care of the needs of the war economy. Instead, women acted on their individual initiatives: raising funds for the armed forces, sending food packages to the front and generally, doing anything they could to help make the life of the soldiers in the front more easy. Women and children put up food-stands at busy intersections where a heavy movement of soldiers to and from the front was anticipated (Ugot vemamtakim, 1973). Women sent gifts to wounded soldiers and held parties for them while they were in the hospital (Tnuat ha'isha, 1973; Tevet, 1973).

War was always a way of life for Israelis. Its frightening uncertainty forced both men and women to seek comfort in their homes and children. Young women feared a future without love and a secure home. They were told that keeping the family together while their mates were off fighting was more important than a job outside their home. This message left them particularly vulnerable. In fact, the movement for women's liberation that encompassed the United States in the early sixties was ridiculed by both the media and the Israeli public during the time period discussed here. Betty Friedan summarized her experience in Israel, while visiting it in 1973, in the following manner: "When I first arrived... I was received as a leper" (Avidar, 1984, p. 41). Even Golda Meir, a symbol of the "liberated" Israeli woman and an example for women all over the world, ignored the implications of the movement. When interviewed by Oriana Fallaci, an Italian journalist, Meir called feminists "nuts" and "crazy" (Fallaci, 1973, p. 100).

Many Israeli female writers agreed with Golda Meir. A known poet-turned-journalist publicly argued that raising a family does not hamper a woman's career. "I myself have never wanted to be a man," she wrote, "and today I want it less than ever. There is no denying that some fields are still closed to women. Generals, astronauts, directors of Port authorities, Ford and General Motors usually tend to be men. But to tell you the truth, I prefer it that way. If they are men who like to walk around on the moon dressed up like stuffed birds, that's their business, but I prefer to lie on the beach at Michmoret. I don't want to build roads or carve highways through mountains. I get a bigger kick out of watering the garden. I prefer thinking about nice clothes (and when possible - to buy them) to thinking about how the Citrus Marketing Board can be made more efficient" (Ravikovitch, 1971, p. 69). Even more poignant is a column written by another journalist in which she declared that her main pleasure in life "is not self-expression but making babies" (Meroz, 1973, p. 21).

Feminism was regarded as a threat dividing men and women at a time when survival was at stake (Dayan, 1977). Yet the need for an improved quality of life for both women and men, and the need to share equally the responsibilities for the nation were increasingly felt in the aftermath of the Yom Kippur War of 1973. Scholars began to criticize women for how they acted during the war. They argued that while some women behaved calmly and appeared quite competent, too many others seemed unfocused and helpless. In their opinion, the Israeli media was to blame for perpetuating an image of a domestic woman. "Television photographed us... yearning for our loved ones," commented a sociologist in a conference on women's wartime roles (Harpaz, 1973, p. 17). "The servicewoman was portrayed combing her hair... or putting flowers on graves [at military funerals]," she was quoted in another article (Goren, 1973, p. 12). Interestingly, the Chief of the Women's Corps during the 1973 War put the blame, for the passive wartime role of female soldiers, on their mothers. She described getting many phone-calls from worried mothers, during the war, and being ambushed by mothers at nights asking her to transfer their daughters closer to home. One mother even slapped her in the face (Goren).

Conclusion

The traditional sex-role public images of Israeli women became stronger and were legitimized during the Six Day War of 1967 and the Yom Kippur War of 1973. The Israeli wartime press kept its limited stock of women's images: housewife, faithful wife and helpless mate. Topics which harmonized with these role-expectations for women received more coverage, during the wars, than those which did not. Discrepant topics, such as women's careers or their rights, on the other hand, ran counter to typical beliefs and everyday knowledge of what Robinson (1983) calls "how things work in this culture" (p. 94). These themes were less covered because they provided a forum for questioning traditional assumptions about women's roles. It was felt that in times of war there is no room for it, as Yael Dayan, the daughter of Moshe Dayan said: "The State's needs are more important than my needs as a woman... if there is a conflict of interests, the State comes first" (Symon, 1984, p. 32).

The analysis also points to press portrayal of wartime women in sex-segregated positions which are extensions of women's nurturing roles. If a woman was found in a male-dominated profession, she was presented as an exceptional case. Her choice of occupying such a position was usually justified by unique circumstances or conditions. This may have been detrimental since media images become part of women's conception of themselves. Perceptions of the status and abilities of other women affect the perception of their own status and abilities (Butler & Paisley, 1980). Never seeing or reading about women playing other roles seems to reduce the likelihood that a woman will attempt such a role herself.

Thus, the treatment of wartime women in the press was anchored in a functionalistic approach: women's lives were described from an "as is" point of view that implied that this presentation of women was also "what it should be" (Friedan, 1983, p. 135). The press rigidly denied any possible change, even if the latter was to the benefit of the Israeli society.

Israel at war was a society in crisis: hundreds of people were killed, while many others were in immediate danger. In contrast to stable periods, crisis induces a social situation in which goals are redefined. Crisis-defined goals are more limited in number and scope and are focused upon survival or maintenance of the system. In wartime Israel, the society was reorganized immediately by reordering its goals. Only the soldiers and their needs were granted full legitimacy. The needs of the civilian population were reduced. Since the civilian population included a large portion of women, it was their activities that were not granted full legitimacy. Morever, no serious attempt was made to integrate women into the work force or into the framework of volunteering (Kimmerling, 1985).

Bar-Yosef and Padan Eisenstark (1977) postulate that Israeli wartime women were assigned to the lowest status-relevant roles since they were civilians involved in low risk types of jobs, compared with the highest status of soldiers in combative, instrumental roles that carried high risks. Correspondingly, the media presented any situation in terms of its relevance to the war. The focus of its reportage was the soldiers in the front. Soldiers were presented only in terms of the masculine attributes of their combat roles. Women, mainly young soldiers in supporting roles, spouses and mothers, were presented with regard to their "tender-loving-care" attributes. Thus, the press helped to propagate this relevance scale based on stereotyped sex-role images. Only the expressive and supportive role of women acquired full public legitimacy and recognition.

It should also be noted that because of the continuous animosity between Israel and its neighboring countries, wars were not unexpected occurrences in the region. Thus, everytime a military conflict took place the Israeli society reverted its traditional values. This stands in contrast to crisis theory which contends that social change occurs most readily within the context of crisis or stress to a social system. In Israel, the system response to the ongoing national security crisis included increased role differentiation and role highlighting. As was shown in the data collected here, women were assigned stereotyped gender related roles. The process was fostered by the Israeli value system. On the other hand, the masculine role of the soldier as the defender of the nation was highlighted and valued as a high-status role.

Perhaps the best indication of what awaited Israeli women in the years to follow the Yom Kippur War is found in the establishment of the Prime-Minister's Commission on the Status of Women in 1978. Declared as a gesture to the International Woman's Year, the Commission accepted the status quo and therefore absolved itself of any responsibility for changing it. As such it agreed not to recommend anything on the civil marriage issue (not legal in Israel at the present time), restricting itself to discussing minor changes in the rabbinical law which govern all the matrimonial aspects of life in Israel (Hazleton, 1977). The Commission placed a greater emphasis on improving women's lot in the work force by concentrating on necessary improvements in services needed to allow more women to enter and stay in the work force, such as additional day care centers and a longer school day. On the subject of women's images in the press, the commission called for a more objective and balanced presentation of women and their roles in the family, work place and society (Recommendations of the Commission, 1978). Regrettably, almost none of the above recommendations were adopted officially by the Israeli government.

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Appendix

Table 1: Definitions of Role Categories

Politician/Public Official	portrayed in an official capacity as the holder of any elective, appointed or salaried position in government or local administration. (Does not include the Prime-Minister at that time, Golda Meir).
Professional	portrayed in some professional or vocational position.
Soldier	portrayed in a military position.
Nurse	portrayed in a nursing position.
Entertainer/ Celebrity	portrayed engaging in personal recreation, leisure or social activities. (Includes beauty contestants, politicians' wives and socialites).
Volunteer/ Advocate	portrayed as a spokesperson, group representative or volunteer.
Spouse	portrayed as a wife, bride or widow.
Mother	portrayed as a mother of an infant or mother of a soldier.
Housewife	portrayed as a homemaker.
Other	portrayed in a role other than those described above.

Table 2: Recorded Entries by Role-Domains

Domain	Period			
	1966	1967 War	1972	1973 War
Domestic	(N=42) 37%	(N=64) 48%	(N=36) 33%	(N=88) 41%
Marginal	(N=6) 5	(N=41) 31	(N=8) 7	(N=44) 21
Public	(N=54) 48	(N=25) 18	(N=53) 48	(N=58) 27
Other	(N=11) 10	(N=1) 3	(N=13) 12	(N=24) 11
Total	100% (N=113)	100% (N=134)	100% (N=110)	100% (N=214)

Table 3: Recorded Entries by Wartime Roles

Role	Period	
	The 1967 War	The 1973 War
Politician	(N=7) 5.2%	(N=10) 4.6%
Soldier	(N=14) 10.4	(N=12) 5.6
Nurse	(N=0) 0	(N=6) 2.8
Volunteer	(N=41) 30.5	(N=43) 20
Spouse	(N=43) 32	(N=51) 23.8
Mother	(N=14) 10.4	(N=30) 14
Housewife	(N=7) 5.2	(N=16) 7.4
Entertainer	(N=5) 3.7	(N=18) 8.4
Professional	(N=1) 0.7	(N=19) 8.8
Other	(N=2) 1.4	(N=9) 4.2
Total	(N=134)	(N=214)

Table 4: Recorded Entries by Prewar Roles

Role	Period	
	1966	1972
Politician	(N=11) 9.7%	(N=4) 3.6%
Soldier	(N=6) 5.3	(N=8) 7.2
Nurse	(N=0) 0	(N=0) 0
Volunteer	(N=6) 5.3	(N=8) 7.2
Spouse	(N=21) 18.5	(N=20) 18.1
Mother	(N=10) 8.8	(N=11) 10
Housewife	(N=11) 9.7	(N=5) 4.5
Entertainer	(N=12) 10.6	(N=11) 10
Professional	(N=25) 22.2	(N=30) 27.2
Other	(N=11) 9.7	(N=13) 11.8
Total	(N=113)	(N=110)

Table 5: Recorded Entries within the Domestic Domain

Role	Period	
	1967 War	1973 War
wife	(N=4) 6.2%	(N=8) 9%
Bride	(N=32) 50	(N=25) 28.4
Widow	(N=0) 0	(N=5) 5.6
Mother of a Soldier	(N=7) 10.9	(N=16) 18.1
Mother of a Newborn	(N=7) 10.9	(N=13) 14.7
Housewife	(N=7) 10.9	(N=16) 18.1
Other	(N=7) 10.9	(N=5) 5.6
Total	(N=64)	(N=88)

Winners and Losers: Making It in the Magazine Marketplace 1986-90

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Abstract:

This study examined variables affecting consumer magazine circulation between 1986-90 using data from questionnaires and the *1991 Magazine Trend Report.* Data from 76 consumer magazines revealed that number of awards won was the primary variable differentiating between 53 that gained and 23 that lost subscribers. Price increases or other differences were not found to be significant. However, magazines aimed toward male and affluent audiences did better than those aimed toward female or middle-class audiences.

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Winners and Losers: Making It in the Magazine Marketplace 1986-90

by David E. Sumner

Many forces affect whether a magazine increases or decreases in circulation. Some are internal and under the control of the publisher, while others are external and beyond the publisher's control. Quality of the content, amount and type of promotional advertising, size, frequency, and price of the magazine are among the internal factors. External factors include population shifts in age or gender that change the audience composition, as well as general economic circumstances of the society.

Hall (1976) concluded in his study of the rise and fall of the old *Saturday Evening Post*, "A magazine publishing company may be viewed as a rather complex system of parts dynamically related over time, and. . .a systems study of magazine publishing may provide a convenient starting point for analyzing the interplay of the forces at work in shaping the destiny of a company."

The purpose of this study is to examine several internal and external factors among a cross-section of major consumer magazines to determine which variables have the greatest influence on circulation success. Because magazine publishing is such a complex industry, neither this nor any study can provide conclusive information. But an examination of several isolable and measurable variables can shed light on the most salient ones.

Husni (1984) studied 234 new magazines that started between 1979-1983. Among 26 factors included as independent variables, he found that only cover price and frequency of publication appear to have significant effects on the survival rate of new magazines. "The higher the cover price, the better are the chances that the new magazine will survive," wrote Husni. He attributed this result, first, to the fact that these magazines were aimed toward affluent readers and, second, that they were able to publish better editorial content because of their higher revenue. He also found that magazines that publish less frequently were more likely to succeed.

Hall (1976) studied circulation trends in the old *Saturday Evening Post* between 1938-1960 and examined primarily financial and economic factors affecting its eventual demise as a weekly. As advertising revenue declined, the publishers were forced to reduce the number of pages in the magazine. This, in return, reduced the number of new and renewal subscriptions, which reduced the advertising rate base. While this is a simple description of Hall's analysis, he concluded that the declining number of editorial pages, with the lack of a price decrease, was a key factor in the magazine's failure. However, he admits making one questionable assumption: that "the quality of editorial content does not affect the sale of subscriptions," he wrote.

Krishnan and Soley (1987) reached a similar conclusion in a study of a sample of 100 consumer magazines. They examined the effect of editorial pages per issue, percent newsstand circulation, advertising expenditures, and the percentage of pages printed in color upon the dependent variable of circulation. Their regression analysis using average paid circulation as the dependent variable determined that the number of editorial pages per issue was the most important predictor of circulation. "The results suggest that consumers are more inclined to buy thick rather than thin magazines," they reported. They also found that price played a significant factor. The coefficient for average price per copy was significant and negative showing that "as the price of magazines increase, circulation decreases."

Krishnan and Soley, however, also avoided any attempt to introduce editorial quality as a variable and didn't even acknowledge its omission as a limitation of their analysis. Evaluating the quality of magazines—like evaluating the quality of teaching--is a difficult task. The results are inconsistent and do not easily lend themselves to measurability.

Common sense, however, dictates that the better the quality of a magazine, the greater its chance of success with the public. If a magazine declines in circulation and eventually folds, then most people assume that its quality was not as great as those that succeeded. But can this be tested?

One possible measure of magazine quality is the number of awards a magazine has earned. Equating awards to quality is risky, and many will quickly point out that some magazines don't even enter contests. The results may be unreliable since different judges usually serve in different contests. But the number of awards is one of the few, if not the only, quantifiable measure that may have some direct relationship with magazine quality. It should be stressed that while winning an award may be an indication of quality, not winning one does not indicate the absence of quality.

One of the major purposes of this study, therefore, is to determine if the number of awards a magazine has won has a significant relationship with its growth or decline in circulation. It will also examine the relationship between circulation and other dependent variables measured by previous studies, such as number of editorial pages, price, and frequency of publication.

Method

The magazines chosen for this survey came from the *1991 Magazine Trend Report* published by the Audit Bureau of Circulations. This report, which is published annually, contains circulation, price, and other data for 189 major U.S. consumer magazines for the years 1986-90. To be included, a magazine must have had an average paid circulation of at least 100,000 and an annual advertising revenue of at least $1 million during those years.

Questionnaires were sent to the publishers or circulation directors of 160 of these magazines. Among the 29 publications eliminated from the survey were those published by associations, such as AARP or fraternal groups, whose circulation depended primarily upon membership in an organization. Magazines that had ceased publication since the report's publication were also eliminated. Questionnaires were mailed first to the person listed as publisher in the *Gale Directory of Publications*. Because most publishers forwarded those questionnaires to their circulation directors, two follow-up mailings went to the circulation directors. The total number of responses was 76 for a return rate of 48 percent.

Among other items, the questionnaires asked for the number of editorial and production awards for each of the years covered in the study. It also asked for demographic data on subscribers, average cost in obtaining new and renewal subscribers, methods of obtaining new subscribers, and a qualitative assessment of the reasons for gain or decline in circulation. Finally, it asked for the respondent's level of agreement (from "strongly agree" to "strongly disagree") with the statement: "Editorial excellence is the primary factor in determining whether a magazine gains or loses subscribers."

Since the number of awards was self-reported, and open to question, another verifiable measure of awards was sought. A list of winners of the National Magazine Awards—the magazine industry's best known and most prestigious competition—was obtained from the American Society of Magazine Editors in New York City. The number of National Magazine Awards for each of the 76 respondents was tabulated and entered as a separate variable.

Additional data was obtained for each of the respondents from the *1991 Magazine Trend Report*. This information included: percent increase in average paid circulation from 1986-90; percent increase in subscription price and single-copy price; number of issues per year; percept subscriptions sold with premium (free gift as inducement); and current single copy and one-year subscription prices.

Krishnan and Soley (1987) found that the average number of editorial pages had a significant relationship with circulation. Their source, and the only published source for this information, was the annual *Folio 400* report. Unfortunately, 1986 was the last year this report was published. The average number of editorial pages for each of the 76 respondents for 1985 was reported in the 1986 edition. While this information cannot be considered valid for 1990, it does give some indication of the size of the magazines at the beginning of the measured years. Therefore, this figure was included among the independent variables.

Results

The 76 respondents included some of the best-known consumer magazines, such as *New Yorker, Time, Reader's Digest, People Weekly, Better Homes and Gardens, Sports Illustrated, U.S. News and World Report,* and more.

A multiple regression analysis was run using circulation percent increase or decrease (1986-90) as the dependent variable with the following independent variables: number of self-reported awards, National Magazine Awards, current single copy and subscription price, single copy and subscription price increase, percent subscriptions sold with premium, and average number of editorial pages (1985). No significant F-levels were found for any of the predictor variables.

Then the 76 respondents were divided into two groups: the 53 that gained in circulation by any amount between 1986-90 ("winners") and the 23 that declined ("losers") by any amount. This determination was based on data contained in the *1991 Magazine Trend Report*. The response rate was 53 out of 117 (45 percent) among winners and 23 out of 43 (53 percent) among losers for the overall return rate of 48 percent.

After the two groups were determined, means were calculated for each of the following variables: change in average paid subscribers, single copy price increase, subscription price increase, 1990 single copy price, 1990 subscription price, percent subscriptions sold with premium, cost per new subscriber, cost per renewal subscriber, self-reported awards per magazine, National Magazine Awards, number of editorial pages, and issues yearly. Then a T-test was run for each of the two groups. The results are presented in Table 1.

TABLE 1
Magazine Winners and Losers 1986-90
(all values are means for reported variables)

	Winners (n=53)	Losers (n=23)	t-value	p
change in paid subscribers	16.7%	-11.4%	8.42	<.01*
single copy price increase	17.2%	19.5%	-.68	.50
subscription price increase	13.2%	14.6%	-.29	.77
1990 single copy cost	$2.62	$2.54	.36	.72
1990 subscription cost	$24.33	$23.87	.13	.90
subscriptions sold with premium	18.5%	10.0%	1.49	.14
cost per new subscriber	$18.10	$19.70	-.39	.70
cost per renewal subscriber	$3.79	$7.60	-1.48	.17
awards per magazine (self-reported)	3.7	1.7	2.03	.12
National Magazine Awards	.39	.09	1.81	.04*
number editorial pages (1985)	77.2	70.5	.39	.70
issues yearly (1990)	15.8	16.2	-.11	.91

Table 1 indicates that the number of National Magazine Awards produces the only significant difference between the winners and losers. The 53 winners had a total of 21 verified National Magazine Awards for a mean of .40 per magazines over the five-year period. The 23 losers had only 2 total awards for a mean of .087 per magazine. The difference in number of self-reported awards was also large, although not statistically significant. The 53 winners had a mean of 3.7 per magazine, while the 23 losers had a mean of 1.6 per magazine. While the number of self-reported awards is not statistically significant, there is a significant degree of correlation between number of National Magazine Awards and self-reported awards. The correlation coefficient is .36, which is significant at the p = .05 level.

The only other variable approaching a statistically significant level was percent of subscriptions sold with a premium, which is a free gift offered as a subscription inducement. The winners sold an average of 18.5 percent of their subscriptions between 1986-90 with premiums, while the losers sold 10 percent of theirs with premiums. This indicates that the free gifts offered by magazine publishers may be a successful inducement for new subscribers, although they obviously come at a cost.

It's interesting to note that the losers spent almost twice as much on renewals as the winners. While not significant, the difference probably indicates an acute awareness of the declining number of subscribers and the need for a substantial effort to retain them with price inducements or repeated mailings.

Table 1 revealed an apparent lack of difference between winners and losers in the four price variables—1990 single copy price, 1990 subscription price, increase in single copy cost, and increase in subscription cost. Therefore, these figures were correlated with circulation changes for both groups and no significant degree of correlation was found. Table 2 reveals that all *r* figures ranged between -.1 and +.1.

TABLE 2
Correlation between Price and Circulation Increase or Decrease (%)
(n=76)

	r
1990 single copy price	-.005
1990 single copy price	-.05
Increase in single copy cost 1986-90	.04
Increase in subscription cost 1986-90	-.09

The respondents were asked to indicate their level of agreement with the statement "Editorial excellence is the primary factor in determining whether magazines gain or lose subscribers." Possible answers ranged from strongly agree (5); agree (4); unsure (3); disagree (2); and strongly disagree (1). The direction of the answers from the two groups is as expected. The winners were more likely to agree that editorial excellence is the primary factor (mean=4.43) than the losers (mean = 4.04). The difference is significant at the p = .17 level.

Finally, the respondents were asked to indicate the gender (male or female) and socioeconomic level (middle-class or affluent) of their readers. Table 3 indicates that the winners had a majority of male readers while the losers had a majority of female readers. Winners averaged 64 percent male and 36 percent female readers, while losers averaged 38 percent male and 62 percent female readers. Using the chi-square test for cross tabulations, the difference between winners and losers was significant at the p = .05 level. There were similarly large differences in the socioeconomic level of audiences between winners and losers. The winners averaged 58 percent "affluent" readers while the losers level of affluent readers was only 31 percent. Using the chi-square test for cross tabulations, these differences were significant at the p = .06 level.

Table 3

GENDER OF READERSHIP

Predominant gender	Winners (n=53)	Losers (n=23)
MALE	63.8%	38.1%
FEMALE	36.2%	61.9%
Chi-square	3.89	p=.048*

Table 4

ECONOMIC LEVEL OF READERSHIP

Predominant economic level	Winners	Losers
MIDDLE-CLASS	41.9%	58.1%
AFFLUENT	68.8%	31.3%
Chi-square	3.37	p=.068

Discussion

While equating awards with editorial quality in a general survey has risks, the results of this study indicate that quality cannot be neglected in any study of circulation trends. Among the open-ended responses from the 53 winners, "editorial quality," or some variation of the term, was most frequently mentioned as the reason, or one of the reasons, for a circulation increase. The marketing coordinator for *Self* stated it succinctly: "Self's powerful consistent editorial message is responsible for its increasing circulation. Self establishes a dialogue with its readers by focusing on the issues in their lives."

Norma Clousner, circulation manager for *Muscle and Fitness,* attributed its 17 percent increase to "increased quality across the board: editorial, art, readability, etc." Raoul Wetz, subscription manager for *Salt Water Sportsman,* said its 18 percent increase was due to "continued focus on delivering the country's most authoritative, info-loaded editorial product, combined with smart use of direct mail and tele-marketing."

The other most frequently mentioned reasons for circulation increases were effective marketing techniques and a growth in the market or target audience. For example, the circulation coordinator for *Money* magazine attributed its growth to "excellent editorial product, expanding market, and savvy marketing." Glyn Standen, circulation director for *Byte,* attributed its 20 percent growth to"A combination of editorial excellence, aggressive circulation marketing, and continued growth in market size."

The largest 5-year increase of any magazine was *American Heritage,* with a 74 percent increase from 167,000 to 290,000. Its circulation director says that "The market was untapped (magazine had not been promoted for the previous ten years) and was bought by a publisher [Forbes] who had money to spend."

The other two studies mentioned earlier found significant relationships between magazine size and circulation, but neglected any measure of editorial quality. However, when Husni (1984) found that higher priced magazines were more likely to succeed, he attributed this partly to the fact that they were able to publish better editorial content because of their higher revenue.

This study did not determine any relationship between frequency of publication or size of the magazine and its circulation success. Although Krishnan and Soley (1987) and Hall (1976) found size to be a significant factor, these results can't be interpreted to affirm or refute their findings. The 1985 size figures were the latest available and can't be interpreted as valid for the 1986-90 circulation changes. Since there no longer appears to be an independent source for average number of editorial pages in magazines, any future research will have to determine this information from questionnaires or rely on random manual assessments.

What appears fairly clear, however, is that there is little relationship between price and circulation increase or decrease. The differences in four price variables—single copy price increase, subscription price increase, 1990 single copy price and 1990 subscription price—were insignificant. Table 2 indicates that there is no correlation between the four price variables and the gain or decline in circulation. All correlation coefficients ranged between -.1 and +.1.

Publishers, especially those who intentionally reduce their circulation, generally assume that a ten percent increase in price will result in a one percent decrease in subscribers. Such increases can bring increased profitability, elimination of marginal readers, and consequently, higher renewal rates. Krishnan and Soley (1987) point out, "The U.S. Department of Commerce report on elasticity of demand suggests that. . .increases are possible with only a negligible decrease in circulation. The Commerce Department estimated print media elasticity of demand at -.1067, which suggests that a 10 percent increase in price is associated with a one percent decrease in circulation."

The significant correlation between gender of audience and magazine winners and losers is an external demographic factor beyond the control of the publishers. It reflects larger societal changes in the number of working women who have, consequently, less time for reading. The *1991 Magazine Trend Report* used in this study includes 25 women's magazines which had a combined net circulation decline of one percent during the 1986-90 period under study. The high correlation between economic level of audience and magazine winners is also reflective of general economic circumstances of the 1980s, which have been widely discussed in the media.

Future research should focus more clearly on relationships between awards and circulation success using verifiable measures from other award-granting groups and organizations. Although price does not seem to be a significant factor in circulation success, correlation with premiums and other subscriber-inducement techniques may yield fruitful results. The dynamics of magazine publishing related to audience gender appears to be undergoing significant changes. Any future research, therefore, should carefully control for predominantly male and female audiences while measuring other variables.

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The Lanham Act and Copyright: Application *vis a vis* Computer Manipulation of Photographic Imagery

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The Lanham Act and Copyright: Application *vis a vis* Computer Manipulation of Photographic Imagery

RUNNING HEAD: Manipulation of Photographs and Lanham Act

Abstract

The Lanham Act and Copyright: Application *vis a vis* Computer Manipulation of Photographic Imagery

New applications of computer technology have recently impacted traditional photojournalism more than perhaps any other development in its history. The freelance, non-staff, photojournalist is particularly concerned about the far-reaching implications of computer assisted digital manipulation of photographs.

The Lanham Act when used in conjunction with Copyright law may provide extra protection for the photo author in cases involving misappropriation of imagery, false designation of origin, and unwarranted compilation and derivation.

Abstract

The Lanham Act and Copyright: Application *vis a vis* Computer Manipulation of Photographic Imagery

Photography has just recently celebrated its 150th birthday. Photojournalism has been an important aspect of this visual medium for much of that time. New applications of computer technology have recently impacted traditional photojournalism more than perhaps any other development in its history. The freelance, non-staff, photojournalist is particularly concerned about the far-reaching implications of computer assisted digital manipulation of photographs.

The Lanham Act when used in conjunction with Copyright law may provide extra protection for the photo author in cases involving misappropriation of imagery, false designation of origin, and unwarranted compilation and derivation. While Copyright law protects the so called "bundle of rights" regarding authorship, Lanham deals more directly with the loss of economic gain, and recognition for the original author.

Photography has just recently celebrated its 150th birthday.[1] Photojournalism[2] has been an important aspect of this visual medium for much of that time.[3] New applications of computer technology have recently impacted traditional photojournalism more than perhaps any other development in its history.[4] The freelance, non-staff, photojournalist is particularly concerned about the far-reaching implications of computer assisted digital manipulation of photographs.

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[1] Joseph Nicéphore Niépce of Chalon-sur-Saone, France is credited with being the first to successfully fix a photographic image against fading in 1826, although the invention was not made public until 1839. Photo historian Beaumont Newhall states that "his letters and eye witness accounts leave no doubt that he [Niépce] had succeeded in permanently fixing the camera's image even earlier." Beaumont Newhall, The History of Photography, New York: The Museum of Modern Art, p.12.

[2] It is generally agreed that Professor Cliff Edom of the University of Missouri School of Journalism first popularized the term *photojournalism* to describe "the types of word-and picture integration he was teaching. Through his lectures, writings and work at the Missouri Photo Workshop, Edom popularized the word in its present meaning." Frank P. Hoy, *Photojournalism: The Visual Approach,* Englewood Cliffs, NJ: Prentice-Hall, 1986, p.5. Frank Luther Mott, dean of the journalism school at the University of Missouri has been credited with creating the word *photojournalism,* however. Greg Lewis, *Photojournalism, Content and Technique,* Dubuque, IA: Wm. C Brown Publishers, 1991, p.7.

[3] Roger Fenton set sail from England on the ship *Hecla* to photographically document the Crimean War in 1855. From that point on photography became the "Faithful Witness" to news. *See,* Beaumont Newhall, The History of Photography, New York: The Museum of Modern Art, p.67.

[4] This author believes that only the advent of roll film and the half-tone reproduction process have had the same impact. For more complete information regarding the impact of the half-tone see Christopher R. Harris, *The Halftone and Magazine Reproduction in the United States: From 1880-1900,* accepted for presentation at the American Journalism Historians Annual Convention, Couer d'Alene, Idaho, October, 1990.

Unlike the staff photographer's situation whereby all rights to copyright are inherent in the rights of the employer[5], the free-lancer retains full copyright protection to his work.[6] Therefore, the free-lancer controls the destiny of his images through the rights afforded by the copyright code.[7] Included in those controls, granted to a photographer under copyright is the protection of the integrity of the creative process and its intellectual rights.[8] Specifically, copyright law allows the copyright holder rights of adaptation, derivation, and publication.[9] Therefore, without a written agreement of authorization[10], any derivation such as a computer manipulation may be held in violation of the copyright as it applies to the freelance photographer.[11]

The reality of an event photographed is known essentially only to the photographer.[12] In order to protect the veracity of the photograph it is legally incumbent upon the photographer to maintain the accuracy of the visual content exhibited in the photograph. Libel is a concern of the photographer, as it is for the print journalist.[13] Therefore, control of any derivation is essential to maintaining the veracity of the photo image *vis a vis* libel.

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[5] Under the so-called "work for hire" aspect of employment. 17 U.S.C. § 101 (1982) states that a work (made) for hire is "a work made by an employee within the scope of his or her duties."

[6] Under 17 U.S.C. § 201 (a) the original author of a work controls the destiny of that work unless the rights are legally assigned to another as outlined in 17 U.S.C. § 201(d)(1).

[7] Commonly referred to as the "bundle of rights," 17 U.S.C. § 106 protects rights of reproduction, adaptation, publication, performance, and display.

[8] 17 U.S.C.

[9] Supra at 7.

[10] Supra at 6.

[11] 17 U.S.C. § 101 (1982).

[12] The reality of a scene is translated by a photographer when photographing a scene.

Case law shows that there is an actual liability for the lack of truthfulness in photojournalism.[14]

Herbert v. Lando [15](568 F.2d 974 (2d Cir. 1977)) addresses the issue of responsibility for truthful reporting. In this case, plaintiff Herbert sued a "60 Minutes" producer, Lando, in order to obtain documents that might show "slipshod and sketchy investigative techniques."[16] The court ruled that Herbert was indeed entitled to explore the "intentions" or "state of mind" of the reporters in making the film report *in order to determine whether or not they had intentionally distorted the report.* From Lando it follows that the vision of a photographer shown in his images, if they were distorted, would be the same as fictionalization in print. Therefore, photographers can be held responsible for the photographic intent as evidenced in their images.

The right of the photo author to control how an image is used is therefore an important legal issue and is reflected in a number of differing legal processes.[17]

However, copyright law and the rights afforded by it has not always been so clear cut for the photographer. In fact, copyright law originally had not granted to the photographer the same rights granted other authors.[18] This lack of protection for photography was clarified in early revisions of the act[19], and specifically addressed by the Revised Copyright Act of 1976.[20]

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[13] *See,* Masson v. New Yorker Magazine, Inc., 111 S.Ct. 2419 (1991), And Herbert v. Lando, 568 F.2d 974 (2d Cir. 1977).

[14] Herbert v. Lando, 568 F.2d 974 (2d Cir. 1977).

[15] Id.

[16] Herbert v. Lando, 73 F.R.D.387 (D.N.Y. 1977).

[17] These controls are outlined in 17 U.S.C. § 101 (1982).

When Congress approved the Revised Copyright Act of 1976 (Title 17 United States Code), one of the changes most obvious was the assignment of copyright protection to the author of a work from the moment that the work assumed a "tangible" form[21].

Tangible or fixed form was not initially a concern for photographers, because photography was at that time a fixed image process made permanent by way of an image retained in an emulsion sandwiched onto a base material and fixed against fading.[22] This process met all the requirements of being a fixed tangible form according to the specifics listed in the Copyright Act: the work can be perceived, reproduced, or otherwise communicated directly or indirectly.[23] With the advent of the computerization of a photographic image, both in the taking of a photograph[24] and in its storage and manipulation[25], new concerns over copyrightability became apparent.

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[18] From the time of enactment of the first "copy right" laws enacted in 1790 (1 Stat. 124, Chap. XV, Sec. 1) until the Act of 1865 (13 Stat. 540, Chap. CXXVI, Sec. 1) photography was not included. Obviously this was due in the main to the fact that photography was not invented until 1839, *see* Supra at 2.

[19] 13 Stat. 540, Chap. CXXVI, Sec. 1.

[20] 17 U.S.C.. For a more complete reference of copyright history see:Don E. Tomlinson and Christopher R. Harris, "Free-Lance Photojournalism in a Digital World: Copyright, Lanham Act and *Droit Moral* Considerations Plus a *Sui Generis* Solution", (U.C.L.A.) *Federal Communications Law Journal*, in press.

[21] 17 U.S.C. § 401.

[22] This is the basic form all traditional photographic imagery takes.

[23] 17 U.S.C. § 102 (a) (1982).

In earlier statutes photography had an uncomfortable existence within copyright practice.[26] Initially not viewed as a creative or artistic process, photography was denied protection under law.[27] Because the earlier versions of the copyright law did not clarify the copyrightability of photography, the Copyright Act of 1976 specifically addressed the question of photographs as copyrightable material.[28] "Statutory enactment was deemed necessary [for photography] to give [it] . . . full recognition as copyrightable works".[29] Therefore, the question concerning application of statutory copyright law to the rights of authorship of photographic imagery was answered as it applies to traditional emulsion based photography, photography which existed only in a fixed form. However, with new developments in technologies and computerization of the basic properties of the photographic image, i.e. computerized master imagery and storage on such non-traditional base forms such as the computer floppy disk, new concerns have arisen over the applicability of the Copyright Act of 1976 *vis a vis* the rights of photographers as authors.

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[24] New "filmless" cameras allow a photographer to record a picture on 2-inch computer disks. Each disk is capable of recording up to 50 good quality images. Additionally, the Eastman Kodak Co. has developed a Digital Camera System that can store up to 156 high quality images on a hard-drive tethered to a traditional Nikon camera equipped with two CCD (Charge Coupled Device) chips.

[25] The traditional photo desk has been transformed into a modern electronic picture desk with the advent of computer driven photographic transmission devices.

[26] Supra at 19 and also U.S. Code Congressional and Administrative News, 94th Congress, Second Session, 1976, P.L. 94-553, p.51 where it is stated, "In other cases, such as photographs, sound recordings, and motion pictures, statutory enactment [in copyright code] was deemed necessary to give them full recognition as copyrightable works."

[27] Until enactment in 1865 as 13 Stat. 540, Chap. CXXVI, Sec.1.

[28] 17 U.S.C.§ 102, Historical and Revision Notes, H.R. 94-1476.

[29] Id.

The Copyright Act of 1976 states

> Copyright protection subsists, in accordance with this title, in original works of authorship fixed in any tangible medium of expression, now known or later developed, from which they can be perceived, reproduced, or otherwise communicated, either directly or with the aid of a machine or device.[30]

The historical and revision notes accompanying this code state

> As a basic condition of copyright protection, the bill perpetuates the existing requirement that a work be fixed in a "tangible medium of expression," and adds that this medium may be one "now known or later developed," and that the fixation is sufficient if the work "can be perceived, reproduced, or otherwise communicated," either directly or with the aid of a machine or device.[31]

The question of protection afforded to authors of digitized forms of photography, as is possible in the variant forms produced by computer assisted technologies, was a cause of concern under these definitions. The specific question raised was: Is a floppy disk and its magnetic coded information a proper fixed tangible form, as required by law?

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[30] 17 U.S.C. § 102(a), emphasis added.

[31] U.S. Code Congressional and Administrative News, 94th Congress, Second Session, 1976, p.5665, emphasis added.

There is no doubt that the floppy disk meets the requirement of being "perceived . . . or otherwise communicated . . . with the aid of a machine"[32] as outlined in the Copyright Act. And, there is no doubt about the ability and use of a computer to read the floppy disk, as required. The computer accomplishes this task of analysis of computer communicated floppy disk information, and therefore meets the requirements as outlined in the copyright code.[33]

Additionally, and specifically, under the copyright code it makes no difference what the form, manner, or medium of fixation of information may be. The information may be in

> words, numbers, notes, sounds, pictures, or any other graphic or symbolic indicia, whether embodied in a _physical object_ in written, printed, photographic, sculptural, punched, _magnetic_, _or any other stable form_, and whether it is capable of perception directly or by means of any machine or device now known or later developed.[34]

Clearly the use of computerized digital imagery, which is set in magnetic code on a computer floppy disk, meets the basic requirements of fixation as specified for legal copyright.

Nonetheless, legitimate concerns continue regarding the applicability of statutory copyright law to works which exist only in computer based, enhanced or manipulated imagery forms. Because these computer based forms can be used for manipulation (modified uses which may not be actually derivative or compiled[35]) of another author's photo image new legal solutions are being sought which specifically address this unique problem that may not be addressed clearly by Copyright code. Those solutions depend directly upon the defined rights granted for any use of an original author's work.

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[32] 17 U.S.C. § 102(a).

[33] Id.

[34] 17 U.S.C. §102(a), emphasis added.

An argument could be made that manipulation of a photograph would seem to occur when it is digitally entered into a base memory form through a computerized digital scanning method from a traditional photograph. A computer operator can scan a traditional hard copy photograph or transparency, and then translate that original into a new form of magnetic number switches, a series of 1s and 0s[36], to a computer memory bank. This computer coded entry then becomes a new fixed form of magnetic code in memory[37], thus meeting the requirements for copyright protection to the "new," second party author of the new work.[38]

Questions concerning authorship and paternity of a resultant photograph are further raised when a second party has access to a copyrighted photograph and performs any manipulation, including computer manipulation, to it. Paternity concerns the inherent rights under copyright law of the exclusive rights of registration, adaptation, publication, performance or display of any authored work to the original author of that work under Copyright law.[39] Specifically, paternity is applicable to the question of the "intellectual property"[40] status of an author's work.

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[35] Manipulation may involve changing structure or color without necessarily being either a derivation or compilation.

[36] These 0s and 1s are referred to as bits. "The word 'bit,' derived from the words 'binary digit,' is computer vernacular for an elemental quantity of information. A bit is the result of a choice between two equally probable alternatives and is represented either as 0 or 1." William G. Hyzer, "Bits, Bytes, and Pixels," *PHOTO Electronic Imaging,* February, 1992, p.14.

[37] 17 U.S.C. § 103 (a)(b).

[38] 17 U.S.C. § 103, Historical Notes.

In Curtis v. General Dynamics Corp.[41] Judge Fredrick Sweigert ruled in favor of the plaintiff in a precedent-setting case involving the use of an original author's photographic work as a source of inspiration for another artist's work. Plaintiff Curtis' photographs and "the combination of the elements used by Curtis to create his expression certainly are protectable [under Copyright law]," ruled Sweigert. Thus, the rights of paternity to an original image and the "intellectual rights" of the author of that image are clearly upheld as provided for by the Copyright Act of 1976.[42]

But what about the possible infringement of rights of paternity as it applies specifically to computer digital manipulation of photographs? That is to say, do the intellectual property rights of the author of a photograph apply to the authors' right to have the photograph appear the way in which it was first envisioned and recorded, whether on film or other media, and not as a manipulated image? The idea of images being used in a compilation or a derivative form is specifically addressed by the code.

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[39] Supra at 7.

[40] This refers to the intellectual processes that went into the making of the copyrightable product.

[41] Curtis v. General Dynamics Corp., 915 F.2d 1566 (U.S. Dist. 1990).

[42] Id.

The Copyright Act of 1976 addresses compilations and derivative works under §103, Subject Matter of Copyright. It states

> (a) The subject matter of copyright as specified by section 102 includes compilations and derivative works, but protection for a work employing preexisting material in which copyright subsists does not extend to any part of the work in which such material has been used unlawfully.
> (b) The copyright in a compilation or derivative work extends only to the material contributed by the author of such work, as distinguished from the preexisting material. The copyright in such work is independent of, and does not affect or enlarge the scope, duration, ownership,or subsistence of,any copyright protection in the preexisting material.[43]

Under section 103 of Title 17, the Copyright Act stipulates

> section 103(b) is ... intended to define, more sharply and clearly ... the important interrelationship and correlation between protection of preexisting and of 'new' material in a particular work. ... copyright in a 'new version' covers only the material added by the later author, and has no effect one way or the other on the copyright ... of the preexisting material. [44]

Therefore, the question of copyright protection concerning either compilation or derivation is answered. The original copyright still applies to the original photographic work, and new copyright status applies solely to what the new author has added.

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[43] 17 U.S.C. § 103(a)(b).

[44] 17 U.S.C. § 103, Historical and Revision Notes, H.R. 94-1476, emphasis added.

Further questions concerning derivation and compilation arise at this point, however. Answers lie in the interpretation of the legal definitions of "compilation" and "derivation" by the court.

Compilation and Derivation

In the legislative history of the Copyright Act of 1976, it is stated:

> Between them the terms "compilations" and "derivative" works ... comprehend every copyrightable work that employs preexisting material or data of any kind.
>
> A "compilation" results from a process of selecting, bringing together, organizing, and arranging previously existing material of all kinds, regardless of whether the individual items in the material have been or ever could have been subject to copyright.[45]

In essence, compilation is concerned with the selection and reorganization, or reassembly of preexisting photographs, but not in the mechanical processes necessary to achieve the new result. This would seem to apply to adding other works to an original, as in a manipulation where a part of a different photograph is added to an original.

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[45] U.S. Code Congressional and Administration News, 94th Congress, Second Session, 1976, p. 5660, emphasis added.

A derivative work, on the other hand, requires a process of recasting, transforming, or adapting one or more preexisting works; the

> preexisting work must come within the general subject matter of copyright set forth in section 102, regardless of whether it is or was ever copyrighted.
>
> Under this provision, copyright could be obtained as long as the use of the preexisting work was not unlawful, even though the consent of the copyright owner had not been obtained.[46]

As has been shown, derivation is concerned with the physical changing or alteration of the structure of a preexisting work or works. The unlawful aspects are not simply a concern with whether or not permission of the original author is obtained for the derivation, but rather there is a concern regarding the lawful use of the finished product. That is to say, the concerns include whether or not an unlawful economic advantage and/or claim of authorship to the original work is involved. Collaterally, there is legal interest in whether or not the second user by not citing the original authorship excludes recognition and economic reward to the first author.[47]

The question concerning derivation is often addressed in the "substantial" qualities of the derivation involved. That question of substantiality is often the crux of a defense's case. In Burroughs v. Metro-Goldwyn-Mayer, Inc.[48] the court ruled that it made no difference what proportion of the derivative work was "similar." The court stated quite plainly, "Copyright infringement may occur by reason of a substantial similarity that involves only a small portion of each work".[49] As Judge Learned Hand stated in Sheldon v. Metro-Goldwyn Pictures Corp. , "No plagiarist can excuse the wrong by showing how much of his work he did not pirate."[50]

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[46] U.S. Code Congressional and Administration News, 94th Congress, Second Session, 1976, p. 5671, emphasis added.

[47] It is this concern over loss of recognition and economic reward that would form the basis of a Lanham Act action as will be shown in this article.

While copyright infringement is a major concern for the computer manipulator, an obvious safeguard against a copyright infringement action would be to have full legal license from the original author of the art work to conduct any derivation desired.[51] The derivation still may not exceed the terms agreed to in the licensing contract, however.[52]

For full protection of the secondary user of original photography, if the new work is to be published in any manner, it is essential to have the proper legal license to form the derivative work. The term proper legal license basically refers to a written contractual agreement specifically allowing manipulation.

This legal license is of vital importance in the question of a derivation that may exceed the specific purpose for which the contractual permission is granted.[53] Furthermore, it is possible that an infringement of a copyrighted work may occur even with permission of the proprietor of the original work as shown in Davis v. E.I. DuPont de Nemours & Co..[54]

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[48] Burroughs v. Metro-Goldwyn-Mayer, Inc., 683 F.2d 610, 624 n.14 (2d Cir. 1982))

[49] Burroughs v. Metro-Goldwyn-Mayer, Inc., 683 F.2d 624 (2d Cir.1982).

[50] Sheldon v. Metro-Goldwyn Pictures Corp., 81 F.2d 49, 56 (2d Cir.), cert. denied, 298 U.S. 669 (1936).

[51] Legal license is the only way to avoid possible action if infringement occurs, inadvertent or not.

[52] *See*, Gilliam v. American Broadcasting Companies, Inc., 538 F.2d 20,21.

However, the Lanham Act[55], a federal trademark statute, may give the original author of photography more protection concerning authorship and paternity than just utilization of the protection afforded through copyright. In fact, the Lanham Act[56] addresses the question of authorship specifically through its concerns with the rights of control of an author's work.

While American copyright law has as its foundation the economic incentive for artistic and intellectual creation,[57] the Lanham Act provides a broader legal base concerning the specific question of "false designation of origin," "piracy" of imagery, and rights to "control" the product of an author's work.[58] Therefore, the question of unauthorized use of an original photograph, either by contractual licensing or through piracy of the image, may be assisted not only in its adjudication under copyright law but also by utilization of the Lanham Act.[59]

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[53] *See*, Gilliam v. American Broadcasting Companies, Inc., 538 F.2d 15.
[54] Davis v. E.I. DuPont de Nemours & Co. (240 F.Supp. 612 (S.D.N.Y. 1965). Also, see Gilliam v. American Broadcasting Companies, Inc., 538 F.2d 20.
[55] 15 U.S. Code Section 43(a) *et seq.* (1946).
[56] Id.
[57]*See*, Goldstein v. California, 412 U.S. 546, 93 S.Ct. 2303, 37 L.Ed.2d 163 (1973); Mazer v. Stein, 347 U.S. 201, 74 S.Ct. 460, 98 L.Ed 630 (1954).
[58] 15 U.S. Code § 1125(a).

The Lanham Act came about as a federal trademark statute in the mid-1940s due to a desire by Congress to offer protection against misappropriation by an unauthorized individual of the "energy, time, and money" expended by an author "in presenting to the public [a] product".[60] The author/owner of the product "is [to be] protected in his investment from its misappropriation by pirates and cheats. This is the well-established rule of law protecting both the public and the trade-mark owner."[61]

The protection afforded by this Act was designed to be two-sided in its thrust. While protection was extended to the author of such material, protection was also deemed vital to the general public. As stated in the historical notes to the Act:

> To protect trade-marks, therefore, is to protect the public from deceit, to foster fair competition, and to secure to the business community the advantages of reputation and good will by preventing their diversion from those who have created them to those who have not. This is the end to which this bill is directed.[62]

The obvious desire on the part of Congress to make piracy unprofitable and to protect the consumer from false designations of origin make this law uniquely applicable to the many problems created by photo manipulators. Their use of new computer technology to create seamless manipulative works[63] which are then falsely designated as to authorship strips the original creators of rights of authorship. Strict application of the Lanham Act to the concerns of photographers over possible misuse of new technologies may partly solve these problems.

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[59] *See*, Gilliam at 15, 16.
[60] Senate Report No. 1333, U.S. Code Congressional Service, 79th Congress, p. 1274.
[61] Id., p. 1275.
[62] Id.

The Act,15 U.S.C. § 1125(a): False Designations of Origin, and Deception

The act refers to:

> Any person who, on or in connection with any goods or services, or any container for goods, uses in commerce any word, term, name, symbol, or device, or any combination thereof, or any false designation of origin, false or misleading description of fact, or false or misleading representation of fact, which-
>
> (1) is likely to cause confusion, or to cause mistake, or to deceive as to the affiliation, connection, or association of such person with another person, or as to the origin, sponsorship, or approval of his or her goods, services, or commercial activities by another person, or
>
> (2) in commercial advertising or promotion, misrepresents the nature, characteristics, qualities, or geographic origin of his or her or another person's goods, services, or commercial activities.[64]

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[63] The term seamless refers to the unequaled quality possible by utilizing computer capabilities to change particles of information known as pixels (picture elements) in a photograph. As an example, a typical 35mm. color transparency will have as many as 64,000,000 pixels of information which can be changed *individually* with common computer hardware and software applications.

[64] 15 U.S.C. 43(a) § 1125(a), emphasis added.

The Lanham Act covers most of the legal questions that may arise in conjunction with manipulation of original imagery which are not covered by copyright law. Specifically, however, this act may be applied any time imagery is manipulated or changed by any party other than the original author, without legal license to do so. That is to say any time anyone uses photographs without securing full contractual usage rights for the manipulation of an original work, from the author of the work to be used, he or she could be held in violation of the Lanham Act. If a misappropriation occurs through piracy of an image or non-acknowledgement of another authors' work, specific conditions of the Lanham Act may have been violated and the misappropriation may be prosecuted.[65] Additionally, this Act applies itself well in its specification of "false or misleading representation of fact."[66]

Gilliam v. ABC (538 F.2d 14 (2dCir.1976)): Setting a Precedent

Case law for the rights of authorship with respect to a common-law copyright, as Lanham is concerned, is first shown in Gilliam v. ABC.[67] This case revolved around the leasing and showing of Monty Python[68] films on the ABC network. Terry Gilliam sued successfully for violation of the Lanham Act based on his inherent right to control the showing of the films as he authored them. ABC had, according to the court, mutilated the film by editing it in excess of the rights granted in the lease.[69] This applies as case law in the instance of unauthorized computerization of photography because it speaks to the rights inherent in the authorship of the original photography and the rights to control the product of an author's work. As this applies to the concern over the computerized manipulation of photography, a mutilation of original imagery would be in violation of Lanham.[70] Obviously, a mutilation of an original image in non-authorized use would also be actionable. While the court's term mutilation sounds harsh, the fact is that an author whose work is digitally manipulated may very well have grounds to say that the original work was mutilated.

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[65] *See*, Lamothe v. Atlantic Recording Corp., 847 F.2d 1407 (9th Cir. 1988).

[66] Supra at 64.

[67] Gilliam v. ABC, 538 F.2d 26 (2d Cir. 1976).

Any use of a photograph in a manner not agreed to in the licensing agreement, such as unwarranted manipulation, may constitute an infringement of both Copyright and Lanham Acts.[71] That is to say, unless specific rights for manipulation are agreed to in writing, allowing computerization and manipulation of an image, an infringement of copyright and/or Lanham may occur. Gilliam shows that a second party does not have the right to alter a photograph beyond the contractually agreed to terms without the express written consent of the holder of the copyright, in this case the original author.[72]

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[68] Monty Python was a comedic group originally starring on British television. Terry Gilliam was a member of the group.

[69] Gilliam v. ABC, 538 F.2d 24, 25 (2d Cir. 1976). Also see reference to a distorted garbled version of a plaintiff's work as shown in Granz v. Harris 198 F.2d 585 (2d Cir. 1952); Autry v. Republic Productions, Inc., 213 F.2d 667 (9th Cir. 1954); and Jaeger v. American Intn'l Pictures, Inc., 330 F.Supp. 274 (S.D.N.Y.1971).

[70] Id.

[71] 17 U.S.C., and 15 U.S.C. § 43(a).

In Gilliam, for the first time the courts ruled a violation of the Lanham Federal Trade Act in conjunction with copyright infringement. Specifically, ABC was found in violation of the Lanham Act in reference to "a false designation of origin" as outlined by the Act (15 U.S.C. § 1125(a)). The court ruled that ABC was

> likely to cause confusion . . . or to deceive as to the . . . origin of the work, as the Act states in 15 U.S.C. § 1125(a). . . . To deform his (Gilliam's) work is to present him to the public as the creator of a work not his own, and thus makes him subject to criticism for work he has not done.[73]

Presiding Circuit Judge Philip Gurfein wrote,

> I believe that this is the first case in which a federal appellate court has held that there may be a violation of Section 43(a) of the Lanham Act with respect to a common-law copyright.
>
> So far as the Lanham Act is concerned, it is not a substitute for droit moral which authors in Europe enjoy. . . . If the licensee has no such right by contract, there will be a violation in breach of contract.
>
> The Lanham Act does not deal with artistic integrity. It only goes to misdescription of origin and the like.

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[72] *See*, Gilliam v. American Broadcasting Co. Inc., 538 F.2d 27 (1976).

[73] Gilliam v. American Broadcasting Co. Inc., 538 F.2d 24, 25 (1976), emphasis added.

> The Lanham Act . . . does not protect the copyrighted work itself, but protects only against the misdescription or mislabelling.[74]

It is the concept of rights of authorship which offers the strongest legal protection for the photographer in the instance of digital manipulation. Nearly all cases dealing with Lanham Act issues state that it is the likelihood of confusion, deception, or mistake on the part of the consuming public that is the threshold issue.

The greatest importance of Gilliam is its precedent-setting qualities, as nearly all court actions that follow[75] utilize the groundwork set forth in this case. However, sometimes this is accomplished by dividing the issues. In some later cases the emphasis has been on the unauthorized and/or unlicensed use of an original author's work which is deceptive[76]; in other instances the focus is on changes to an original author's work which is deceptive and dupes the public into believing that the original author intended the adulteration to represent him[77].

For photographers the very presumptions of copyright law offer strong protection. The law of copyright is very clear concerning the transfer of exclusive rights to another--this must be done formally via a written instrument.[78] The photographer, or legal representative, must physically assign these licensed rights to an individual or publication. Given the reliance the courts place upon the terms of licensure, photographers would appear to be protected in direct relationship to the specificity of their contracts.

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[74] Gilliam v. American Broadcasting Co. Inc., 538 F.2d 14 (1976); 192 U.S.P.Q., emphasis added.

[75] F.E.L. Publications, Ltd. v. Catholic Bishop of Chicago, 214 USPQ 409 (7th Cir., Ct. Ap.,1982), Eden Toys, Inc., v. Florelee Undergarment Co., Inc., 697 F.2d 27 (1982), Lamothe v. Atlantic Recording Corp., 847 F.2d 1403, (9th Cir. (1988), and Manufacturers Technologies, Inc. v. Cams, Inc., 706 F.Supp.984, (D.Conn. 1989).

[76] As exemplified in F.E.L. Publications, Ltd. v. Catholic Bishop of Chicago, 214 USPQ 409 (7th Cir., Ct. Ap.,1982).

[77] As shown in Eden Toys, Inc. v. Florelee Undergarment Co., Inc., 697 F.2d 27 (1982).

However, even when protection is not available under copyright with its focus on derivational concerns, paternity, and originality, all is not lost for the photographer. Because the scope of the Lanham Act grants a cause of action to anyone who can support a claim that he is likely to be harmed by the use of material in which there is a potential, or real, false designation of origin or a misleading description or representation of fact, its application to various forms of photo manipulation is quite clear.[79] The Lanham Act is not concerned with artistic integrity or quality.[80] Lanham deals only with rights of authorship, misdescription of origin, deception, and the like. But this has proven to be more than adequate in dealing with misuse of photographic elements, as in unauthorized computer manipulation of a photographic image.

The Lanham Act does not reach to the direct protections of copyright law[81], nor does it allow for the variety of rights granted under that law[82], but it does offer to the photographer a legal forum to protect against false designation of origin, piracy or imagery, and deception by another author. In the process, it moves in new directions in the protection of a photographers' intent and the content of original photographic imagery.

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[78] Supra at 6.

[79] The Lanham Act would seem to apply itself uniquely to the concerns of the new computer driven technologies, even though it was formulated in the mid 1940s.

[80] *See*, Gilliam v. ABC, 538 F.2d 14 (1976).

[81] Copyright is unique in its application of the "bundle of rights" protections.

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[82] 17 U.S.C..

Significant Silences: Selected Newspaper Coverage of Problems Facing Black Americans

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A winning faculty paper in the "Significant Silences, Invisible Faces" competition sponsored by the AEJMC Commission on the Status of Women. Presented at the AEJMC convention in Montreal Aug. 4, 1992.

Significant Silences: Selected Newspaper Coverage of Problems Facing Black Americans, 1950-1989

by Carolyn Martindale

During the urban riots of the 1960s, the news media were castigated for having failed to warn the public of the deprivations and frustrations experienced by inner city blacks.

"We might not now be experiencing such a catalysmic period," said one communications educator, "had the media alerted us to the pitiful conditions of Negro life decades ago."[1]

A participant in a 1968 media and minorities conference charged that "The media have been remiss because they have not provided our society with any warning signals."[2]

According to nearly every statistical indicator, conditions in inner city black neighborhoods are worse now than they were in 1960s.[3] Income is lower, unemployment is higher, crime and drug use and teenage pregnancy have increased, family breakup has accelerated.

After the recent Los Angeles riot and other urban conflagrations in the wake of the Rodney King verdict, a Singapore resident wrote to *Time* that "If only America had heeded the warning signals, this tragedy could have been avoided."[4]

Are the news media responsible for providing those warning signals? If so, how well have they done the job in relation to

African Americans?

When the Hutchins Commission formulated its criteria for a socially responsible press 45 years ago, it stated that the press should present and clarify society's goals and values. This task, the Commision stated, includes "realistic reporting of the events and forces that militate against the attainment of social goals as well as of those which work for them."[5]

Clearly, one of the ideals upon which America was founded was the goal of equality of opportunity and justice for all. But these benefits have not been available to millions of black Americans for much of this nation's history. Many observers of press coverage of African Americans believe the white-owned press has consistently failed to explain the deprivations experienced by black citizens and to explore the factors that maintain inequality of opportunity and justice for blacks.

One journalist observed in the mid-1960s that before the 1954 Supreme Court school desegregation decision, to the white media the plight of black Americans was just that--a plight, not a news story.[6]

Even after the Civil Rights Movement had been a major running story in the nation's newspapers for years, some leaders felt the press still had failed to explain to white readers the situations that gave rise to the Movement and the urban riots--situations like the disenfranchisement of black citizens in the South, Jim Crow laws, economic and educational inequality for African Americans, discrimination in hiring and housing, oppression by law enforcement officers, inadequate city services and schools in black inner city neighborhoods.

National Urban League director Whitney Young stated in the mid-1960s that "The press has failed to show that the Negro's grievances are real. To read the newspapers, you might think that the Negro is reacting to some mild inconvenience."[7]

The Kerner Commission reached a similar conclusion. Appointed by President Johnson in 1967 to investigate the causes of the urban riots, the Commision said that the white press had failed to illuminate for white readers the difficulties and frustrations of being black in America. Although the press had done a good job of covering the *events* of the Civil Rights Movement, the Commission said, it had failed to clearly explain the problem situations underlying both the Movement and the urban riots. In particular, the Commission stated, the media did not transmit to readers a sense of the realities of life in poor black urban neighborhoods. "The ills of the ghetto, the difficulties of life there, the Negro's burning sense of grievance, are seldom conveyed."[8]

The foregoing observations are supported by numerous scholarly studies indicating that prior to the 1960s, black Americans were largely invisible in the white press, and when they did appear they were portrayed in negative and stereotypical ways. Certainly the problems of inequality and discrimination that they faced were not explored. In studies of press coverage of African Americans in various areas of the country during the first half of the century, George Simpson, Noel Gist, Clifford Johnson and other researchers all found evidence of sketchy coverage that focused almost entirely on black crime.[9]

Studies since the 1960s present a similarly negative picture. In one of the few studies that explored coverage of problems facing black Americans, Robert Latta compared coverage of blacks in the Wichita *Eagle* with empirical data and found the newspaper failed to report on the serious economic, social and political problems affecting the city's black population.[10]

Helen Louise Tatro found a heavy emphasis on black crime in deep South newspapers.[11] Paula Johnson, David Sears and John McConahay reported scant attention to blacks by Los Angeles newspapers during the first 70 years of the century except during the Civil Rights Movement and the 1965 Watts riot.[12]

One might have expected that the confrontations of the Civil Rights Movement and the urban violence of the 1960s would have produced greater attention to black Americans by the white press. This author found evidence of increased press attention to news about blacks not only during the 1960s, but throughout the 1970s and 1980s, and increased attention to black problems as well.[13] Edward Pease found the amount of coverage of minority news in 1965 and 1987 to be nearly identical.[14] But Thom Lieb and Kirk Johnson in different studies reported a strong tendency by the media to cover blacks and black neighborhoods negatively.[15]

Few of these studies have examined how adequately the press covers problems facing black Americans--not only the realities of day-to-day existence in poor black inner city neighborhoods, but also the obstacles to equality of opportunity for middle class and affluent African Americans.

This article reports on an examination of the amount and nature of four major newspapers' coverage of problems facing black citizens. By "problems" are meant conditions affecting African Americans because of their race or arising from racism, from discrimination in hiring to inadequate schools and city services to physical violence arising from race hate, and a whole gamut of problems in between.

The data are drawn from several larger studies by the author that examine the four newspapers' general coverage of black Americans during selected years from the early 1950s, during the Civil Rights Movement in the mid-'60s and throughout the 1970s and 1980s.[16]

This paper examines both the amount of coverage the newspapers devoted to problems of black Americans and the topics covered. Since the Kerner Commission and other observers criticized the press for failing to alert readers to conditions of life in the ghetto, the study also attempts to compare the topics covered in the problem stories found to a list of concerns reported by black inner city residents in the 1960s.

Newspapers were criticized during the '60s for focusing on racial inequities and oppression in other parts of the country while ignoring the situation of African Americans in the local area. Accordingly, another part of this study determines how much coverage the newspapers gave to problems of local blacks.

Design of the Study

The newspapers studied were the New York *Times*, Boston *Globe*, Chicago *Tribune* and Atlanta *Constitution*. These papers were chosen because they are rich, influential papers that might have attempted to correct some of the coverage defiencies pointed out by the Kerner Commission and others during the '60s. They also represent different areas of the country and are located in cities that experienced serious ghetto riots during the 1960s.[17]

Ninety-six issues of each newspaper were selected for coding by drawing dates randomly from a stratified sample of months of the year, weeks of the month and days of the week during selected years.

First, three issues per year per newspaper were sampled from the four years from 1950 through 1953, to sample the newspapers' coverage of African Americans before the Civil Rights Movement gained momentum and commanded increased press attention to blacks. Then four issues a year per newspaper were taken from the six years from 1963 through 1968, some of the most intensively covered years of the Movement. Six issues a year per paper were drawn from the five even-numbered years from 1972 through 1980, after the confrontational activities of the Movement had greatly diminished. Finally, six issues a year of each newspaper from the five odd-numbered years between 1981 through 1989 were sampled. Some issues were unobtainable, so the total sample size was 365 issues. (See Table 1.)

For the larger study, the sample unit was any item about African Americans, including news and feature stories, photos, editorials, opinion columns, letters to the editor and cartoons. Each issue was scanned and any item about American blacks was measured and assigned to a subcategory on the basis of the item's topic. All items were converted to a standard 2.25-inch column width.

The items were assigned to one of 15 subcategories that included such topics as Political Activities, Individual Achievements, Antisocial Actions, Civil Rights Gains. One of these subcategories was Black Problems, and the coverage assigned to this area was the focus of the present study.

Since a major aim of this study was to ascertain how much attention the newspapers paid to problems facing African Americans, the Black Problems subcategory was used for items where the main purpose of the item was clearly to explore a problem facing blacks and explain it to readers. Examples of such items were a feature on the difficulties of black women who were rearing their grandchildren, a photo essay on local teenage gangs, a newsfeature on local banks' refusal to lend blacks money to buy homes, an editorial on how the federal government's cutback on federal aid to college students was affecting black students. A total of 73 problem stories was found.

Glimpses of other problems experienced by African Americans could be seen in stories assigned to other subcategories. In order to obtain a more complete picture of the nature of the coverage, notes were taken about problems that were implied but not explored in items assigned to other areas, such as Civil Rights or Everyday Life. These notes provide an alternative measure of problems facing black Americans that existed at the time but were not examined in the issues sampled.

The topics of the items coded into the Black Problems subcategory were compared with the grievances listed by ghetto residents in riot cities and reported in two separate surveys by the Kerner Commission and the Detroit *Free Press* in 1967 and 1968. In both cases the residents described the problems they believed had been the underlying causes of the riots, and the grievances listed were very similar, with police behavior leading both lists.[18]

If a story covered more than one problem, its topic was listed according to which problem was explored most extensively in the story.

In an attempt to ascertain the proportion of the problem coverage that was local, note was taken of how much of the problem coverage concerned local situations.

Intercoder reliability was tested by having two persons not involved in the study code four sample issues which included a total of 22 items. Intercoder reliability was estimated on Holsti's forumla, which divides agreed-upon subcategory assignments by the number of assignments made.[19] Intercoder reliability was .86.

Findings

Table 1 shows the number of issues examined from each time period and the number of Black Problems stories found. It illustrates the near-total lack of such stories in the 45 issues coded from the 1950s, in which the only problem story found was a New York *Times* article on housing discrimination in another city.

In the 1960s, despite the dramatic confrontations of the civil rights struggle and the urban riots, only 11 stories exploring black problems were found in the 84 issues examined, and the Chicago *Tribune* still provided no problems coverage at all. The number of items exploring problems confronting black Americans tripled in the 1970s but decreased in the 1980s issues coded, although it did not fall back to its 1960s level.

Figure 1 presents each newspaper's coverage of Black Problems in column inches as a percentage of that newspaper's total coverage of black Americans in the issues sampled. This figure, like the previous table, shows that by the 1970s all four newspapers were providing coverage that examined problems confronting African Americans, and this change continued through the 1980s issues sampled. The figure also shows that although the proportion of Black Problems coverage tended to drop in the 1980s issues examined, the number of column inches of such coverage increased in all the papers except the New York *Times*.

Table 2 shows the topics of the problem stories found compared to the concerns of residents of poor black urban neighborhoods as determined by the Kerner Commission and the

Table 1 Number of issues sampled and number of problem stories found in four newspapers during four time periods

Newspaper	Issues and Stories	Time Period				Total Issues
		1950s	1960s	1970s	1980s	
NYT	Issues	12	24	30	30	96
	Stories	1	3	11	4	
AC	Issues	12	24	30	30	96
	Stories		4	12	6	
BG	Issues	9	24	30	30	93
	Stories		4	4	11	
CT	Issues	12	12	26	30	80
	Stories			8	5	
						365
Total	Stories	1	11	35	26 = 73	
Average number of items per issue		.02	.13	.30	.22	

Figure 1. Mean number of column inches per issue of coverage of black problems as percentage of total coverage of blacks in four newspapers during four time periods

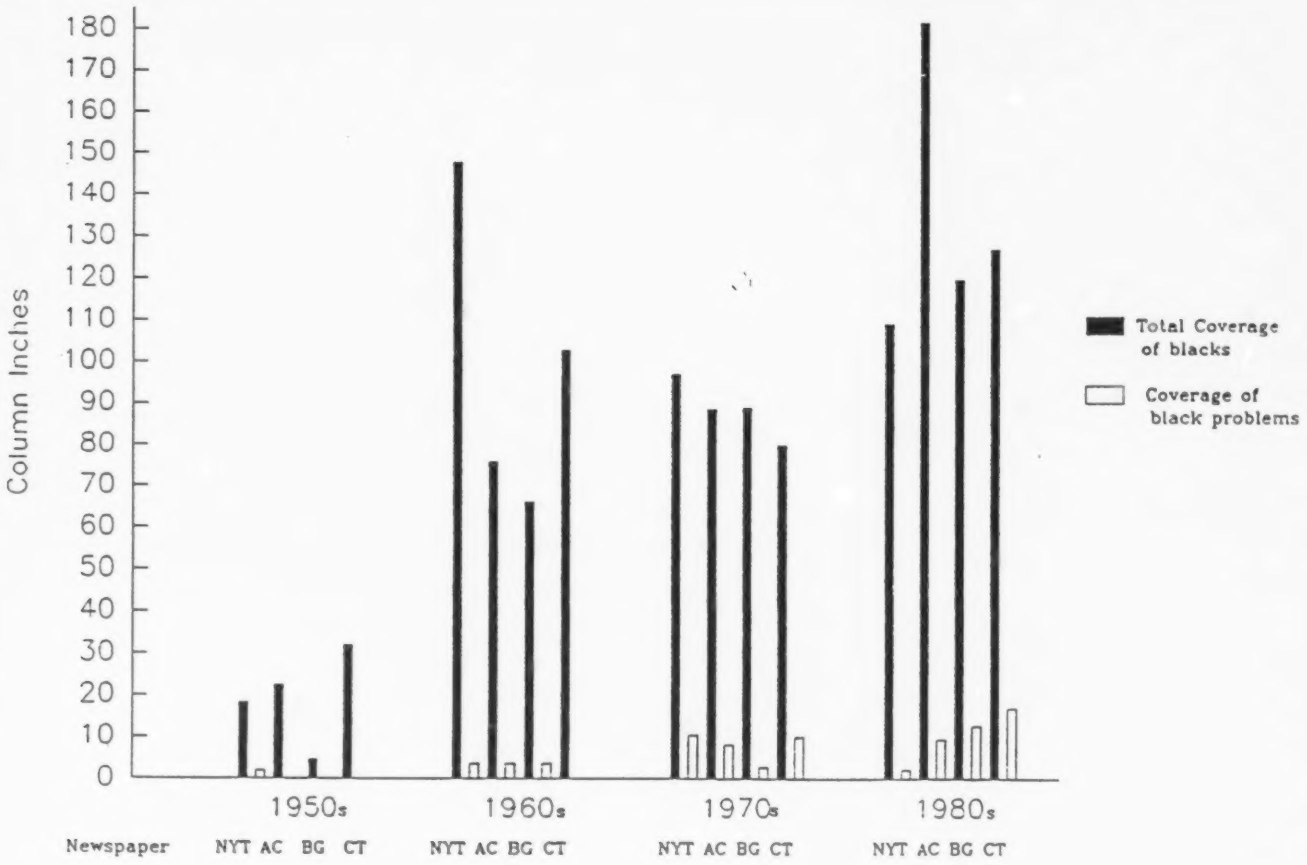


Table 2 Number of black problem stories run in issues coded of four newspapers in four time periods, compared to ghetto residents' grievances as reported by the Kerner Commission and Detroit *Free Press*

Problems	Number of Stories Run			
Time Period:	1950s	1960s	1970s	1980s
Reported by residents				
Police behaviour			1	1
Unemployment, underemployment			6	
Inadequate housing		1		
Poverty		2	3	2
Inadequate schools		1		
Overcrowding				
Poor recreational facilities				
Lack of parental supervision				1
Dirty neighborhoods				
Alcoholism				
Inadequate political structures, grievance mechanisms				
Broken political promises				
White disrespect, animosity, racism, indifference			4	5
Discrimination in justice		3	2	2
Inadequate federal programs, city services		1	3	3
Discriminatory credit practices				
Inadequate welfare programs				
Not reported by residents				
Poverty elsewhere		1		1
Ghetto crime			3	5
Health problems			8	1
Discrimination in housing	1	1	1	1
Problems of black professionals			2	1
Displacement by urban renewal			1	
Obstacles to owning businesses		1		
Obstacles to voter registration			1	
Problems of female-headed families				3

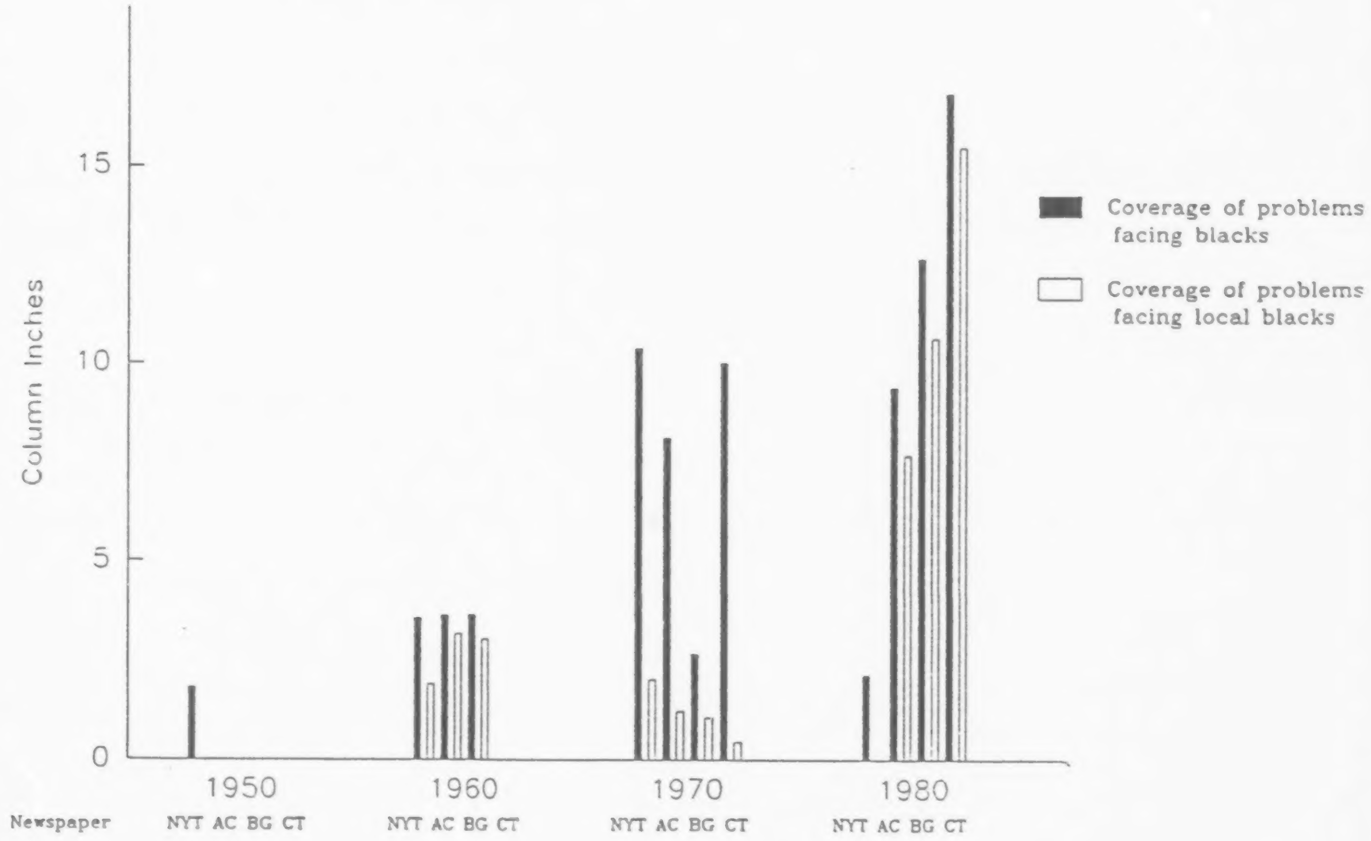
Detroit *Free Press*. The table indicates that from the 1960s on the papers did cover some of the residents' concerns, most notably economic issues (unemployment, underemployment and poverty) and white racism. But a great number of the residents' concerns, most of them involving oppressive living conditions and inadequate city services, were largely ignored. In both surveys the residents' strongest grievance concerned the behavior of police, yet this issue was addressed in only two stories in all the issues sampled.

Among the problems intensively covered by the newspapers but not noted by the urban residents surveyed were health problems and ghetto crime (although the latter surely would be an issue among urban residents today).

Worth noting is the fact that nearly all of the problem items found concerned the black underclass in America. Only a few of the problem stories addressed the difficulties of black professional persons or concerned issues that would affect the black middle and upper classes.

Figure 2 illustrates the amount of problem coverage that concerned the difficulties of local residents. It shows that during the 1960s and again in the 1980s issues sampled, most of the papers' coverage of black problems consisted largely of coverage of local situations. These items often were sidebars to current news stories or installments in a series about local situations, and most of them were written by local reporters. In the 1970s issues studied, however, attention to the local

Figure 2. Mean number of column inches per issue of coverage of problems of local blacks as percentage of total coverage of black problems in four newspapers during four time periods



situation was down, and most of the problem stories were wire and news service stories and syndicated columns about the problems of blacks across the nation.

In addition to the situations explored in the Black Problems stories, glimpses of other problems could be obtained from stories coded into other subcategories, and these provided an impression of additional inequities that the newspapers could have explored.

For instance, although only one problem story was found in the early 1950s issues coded, some short news stories found in these issues offered a glimpse of the discrimination facing African Americans in these years. One article reported on North Carolina students protesting the university administration's refusal to allow six black law students to sit in the white section at football games. Another story described the NAACP demanding a first-degree murder indictment against an off-duty white policemen who allegedly shot two black men outside a bar in White Plains, NY because he objected to their presence in the bar. Another story, about a black man who had qualified for the governor's race in Louisiana, included the explanation that "Negroes have been voting in Louisiana for years."

More stories devoted to examining black problems were found in the 1960s issues coded, but the overwhelming impression the papers' news coverage gave readers was of only one type of problem--the white Southerner's implacable determination to maintain a segregated way of life.

Numerous stories found from this period showed Southern public schools, restaurants and amusement parks being closed to avoid the necessity of integration; a black musician being arrested for trying to check into a Louisiana motel; a black women being arrested for standing in a "white women only" voting line; and Governor Wallace publicly telling the Alabama legislature to find ways to prevent blacks from being elected to local public office.

That was only the non-violent resistance to integration portrayed. Also found were stories of civil rights workers in the South being murdered by snipers, peaceful civil rights demonstrators being beaten while white police stood by watching (or did the beating themselves) and children being killed by bombs planted in black churches.

In the 1970s issues sampled, glimpses of black problems not thoroughly explored in the issues sampled included stories showing that progress toward equality for blacks was slowing, civil rights gains already made were being threatened and the cause of equality for blacks was being abandoned nationally. Other items noted black Americans' fear and resentment at the lack of public outcry among whites at the upsurge of anti-black hate groups.

Both the problem and the non-problem items in the 1980s issues sampled presented a clear picture of another force opposing improved equality of opportunity for black Americans, but this time the opponent was the federal government. Numerous items described the Reagan administration's retreat from commitment to civil rights and affirmative action, the U.S. Congress doing the same, a Cabinet member saying in 1983 that he saw "no authoritative evidence" of hungry children in America, the administration's cuts in low-interest loans for renovating inner-city homes, the U.S. Civil Rights Commission (which had been established to champion the rights of minorities) *opposing* job preferences for women and minorities, the Supreme Court's refusal in 1989 to hear an Alabama case seeking to prevent defense lawyers from removing all blacks from a jury panel, and cuts in federal aid for college education.

Other items from the 1980s issues illustrated the rise in hate groups and persecution of blacks in incidents that recalled the dark days of racial oppression in the South. One item from 1987 told of a Boston clerk of courts who refused to prosecute a white youth who had attacked black children. Another told of a black woman who was jailed because she refused to remove a campaign button in court; the judge in the case happened to be suing the candiate named on her button. Still another told of a black man found dead in a white Chicago neighborhood with the letters KKK scratched into his abdomen; the police refused to investigate his death as a homicide.

These glimpses of oppression and discrimination found in the non-problem stories coded indicate that equality of opportunity and justice for African Americans is still far from achieved, and represent situations the papers could have been illuminating more clearly for readers.

Conclusions

The lack of problem stories found in the 1950s issues coded, compared to the hints provided by news stories of the severe oppression experienced by black Americans during this period, bears out the claim that during this time the African American's plight was not considered to be a newsworthy story.

Although the coverage examining black problems increased during the 1960s, it represented a small percentage of the four newspapers' total coverage of African Americans during this period, considering the newsworthiness of the civil rights story at the time. Unsually, when covering a major running story, newspapers assign reporters to write sidebar stories on peripheral aspects of the phenomenon and on the background of the situation. One might have expected that during the 1960s, when the civil rights struggle was a major running story, the papers examined would have devoted considerable effort to explaining to their readers the causes--the problems facing black citizens--behind the movement. That they provided so little attention to black problems helps explain the charges of both the Kerner Commission and black leaders that they had not clarified for white readers the forces underlying the struggle.

In addition, the news coverage of this period focused almost exclusively on problems experienced by African Americans because of racial discrimination and hostility in the South. It's easy to see why the average white reader, denied much insight into the nature of other kinds of difficulties facing blacks in other areas of the country, would assume that once civil rights for blacks in the South were secured, the nation's most pressing racial inequities would be erased.

Most of the papers studied devoted much more space, in both column inches and as a proportion of their total coverage of blacks, to black problems during the 1970s. This increased attention may have resulted from a greater sensitivity to the situation of black Americans on the part of newspaper managements. It may also have occurred because the racial tumult of the 1960s had greatly diminished, so that African Americans and their grievances were perhaps perceived as less threatening than they were in the 1960s. Possibly media managers, ceasing to see blacks as threat to civic stability, were more willing to explore and explain ways in which they were victimized.

Less encouraging is the finding that the number of problem stories found dropped in the 1980s issues studied, although in most papers the number of column inches devoted to Black Problems coverage increased. It is possible that the papers' fewer stories about black problems was a reflection of the national pulling back from the cause of equality so clearly reflected in many news stories found from the 1980s.

On the other hand, these newspapers continually ran editorials and opinion columns pointing out that equality is far from a reality in America, and they did so at a time when the federal government and the general public were retreating from the nation's earlier commitment to redress past wrongs. By continuing to remind readers that the playing field is not yet level, the papers have served to keep this issue before their readers.

Also positive is the fact that those problems that were explored in the 1980s issues were examined in greater depth, as the column inches increase shows. Running an average of two to 17 inches of coverage of Black Problems per issue, as was done in the 1980s issues studied, is by no means a poor record, especially compared to most of the column inch totals of problems coverage found in the 1960s and '70s.

The considerable increase in the Chicago *Tribune*'s attention to Black Problems during the 1980s and the corresponding decrease in the New York *Times'* attention to this subject may be attributable to changes of ownership at the *Tribune* and editorial leadership at the *Times*.

The topics addressed in the Black Problems stories as compared to the ghetto residents' list of grievances indicate that the Kerner Commission's charge to the press to illuminate the conditions of life in poor black urban neighborhoods has not been fulfilled, although the papers have done much more in this area during the past two decades than they did in the 1950s and 1960s issues sampled. Much more examination of a myriad of problems in black urban neighborhoods, especially of police behavior, seems needed.

The papers' lack of exploration of the reasons for black inner city residents' resentment and fear of police indicates that the papers still are not willing to come to grips with this problem. As the Rodney King verdict vividly illustrated, this perceptual gap between blacks and whites about police behavior still requires exploration. The Kerner Commission noted that every major urban riot of the 1960s before Martin Luther King's murder was triggered by an incident involving perceived police brutality.[20] The 1980 Miami riot was triggered by the acquittal of four white policemen accused of brutality in the beating death of a black insurance salesman after a high-speed chase.[21] Given these facts and the wide publicity given to the tape of the Rodney King beating, it seems inconceivable that the riots following the King verdict would come as a surprise.

If newspapers are to fulfill their responsibility to warn the public of sores on the body politic, they need to provide a wider focus on problems that face African Americans from the full range of socioeconomic groups, not just the urban poor. The greatest share of Black Problems coverage found in this study seemed to go to economic, health, justice and crime issues involving low-income or no-income African Americans. Topics that could be further explored are issues affecting middle-class blacks, such as obstacles to promotion, to moving into a new neighborhood, to obtaining a mortgage, a job or an apartment.

As they did in the 1960s, the newspapers in the 1980s issues examined in this study did an excellent job of devoting well over half of their Black Problems coverage to local situations. It is encouraging to see that, at least in these issues, the old charge of "Afghanistanism" concerning black problems seems invalid.

The many problems not explored in the Black Problem stories but mentioned in news coverage illustrate how far American society falls short of its stated goals of equality of opportunity and justice for all. These glimpses do help keep readers aware of the existence of such problems. But under the social responsibility theory, they also suggest areas that the newspapers could be exploring in order to help readers understand the obstacles that are preventing the fulfillment of society's goals.

In summary, this study found that the newspapers studied have begun to do a much better job than they did in the 1950s and '60s of illuminating the difficulties and frustrations of being black in America. Although the papers have devoted more coverage to Black Problems in the 1970s and '80s, however, much more thorough coverage of the problems facing residents of black urban neighborhoods is needed if the press to to fulfill its watchdog function of providing society with warning signals of severe problems. Since these problems, including police behavior, are those the ghetto residents said in the 1960s had caused the urban riots, and since those problems seem unalleviated, a replay of the events of the 1960s seems inveitable for the future unless the media call attention to these situations and the federal government and the public commit to finding solutions.

Notes

1. Michelle Bender, "The Black Community--Whitewashed in the News? Can Coverage Be Improved?" *American Press*, May 1968. p. 31.
2. Jack Lyle, ed., *The Black American and the Press* (Los Angeles: Ward Ritchie, 1968), p. 74.
3. *Equality: America's Unfinished Business*, Gannett News Service special report (Ft. Myers, FL: News Press, 1981), and Jack E. White, "The Limits of Black Power," *Time* magazine, 11 May 1992, p. 38.
4. "As Others See U.S.," *Time* Magazine, 1 June, 1992, p. 15.
5. Robert D. Leigh, ed., Commission on Freedom of the Press, A Free and Responsible Press, *A General Report on Mass Communication: Newspapers, Radio, Motion Pictures, Magazines, and Books* (Chicago: University of Chicago Press, 1947), p. 27.
6. Paul L. Fisher and Ralph L. Lowenstein, eds., *Race and the News Media* (New York: Anti-Defamation League of B'nai B'rith, 1967), p. 114.
7. *Ibid.*, p. 147.
8. *Report of the National Advisory Commission on Civil Disorders* (New York: New York Times Co., 1968), pp. 373, 383-84, 366.
9. See George E. Simpson, *The Negro in the Philadelphia Press* (Philadelphia: University of Pennsylvania Press, 1936), pp. 6, 116; Noel P. Gist, "The Negro in the Daily Press," *Social Forces* 10, no. 3 (March 1932), 406-11; Florence Rebekah Beatty-Brown, "The Negro as Portrayed by the St. Louis *Post-Dispatch* from 1920 to 1950," Diss. University of Illinois at Urbana-Champaign, 1951, pp. 7, 10.
10. Robert L. Latta, "A Content Analysis of News of Black Americans as Presented by the Wichita *Eagle* and a Comparison with Empirical Data," *Journalism Abstracts* 9 (1971), 225.
11. Helen Louise Tatro, "Local News Coverage of Blacks in Five Deep South Newspapers, 1950 to 1970," *Journalism Abstracts* 10 (1972), 336.
12. Paula B. Johnson, David O. Sears, and John B. McConahay, "Black Invisibility, the Press and the Los Angeles Riot," *American Journal of Sociology* 76, no. 4 (Jan. 1971), 706-7, 718.
13. Carolyn Martindale, "Coverage of Black Americans in Four Major Newspapers, 1950-1989," *Newspaper Research Journal* 11, no. 3 (Summer 1990), 102-10; -------, *The White Press and Black America* (Westport, CT: Greenwood Press, 1986).
14. Edward C. Pease, "Kerner Plus 20: Minority News Coverage in the Columbus *Dispatch*," *Newspaper Research Journal* 10, no. 3 (Spring 1989), 29.
15. See Tom Lieb, "Protest at the Post: Coverage of Blacks in the *Washington Post Magazine*," *Mass Comm Review* 15, no. 2-3 (1988), 65-66, and Kirk A. Johnson, "Black and White in Boston," *Columbia Journalism Review*, 26, no. 1 (May/June 1987), 50-52.
16. See Martindale, op. cit., "Coverage of Black Americans" and *The White Press and Black America*.
17. Coverage of black Americans by the Los Angeles *Times*.

another possible choice, had already been studied through 1968 by Johnson, Sears and McConahay (see note 12).

18. *Report of the National Advisory Commission*, p. 143, and Philip Meyer, *Return to 12th Street: A Follow-up Survey of the Attitudes of Detroit Negroes, October, 1968* (Detroit: Detroit Free Press, 1968), p. 8.

19. Richard W. Budd, Robert K. Thorp and Lewis Donohew, *Content Analysis of Communications* (New York: Macmillan, 1967), p. 68.

20. *Report of the National Advisory Commission*, pp. 40, 117-20.

21. George Hackett, "All of Us Are in Trouble," *Newsweek*, 30 Jan. 1989, p. 36.

TRIAL BY NEWSPAPER: The Strange Case of Dr. Karl Muck

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Introduction

Media campaigns of various sorts are an honored tradition in journalistic annals. But vituperative and continual attacks on individuals are not all that frequent; they do occur, but concerted efforts by the press to have persons jailed, deported, or even hanged are remarkable occurrences, and are worthy of investigation. Why does this happen? Is the person deserving of such public vilification? Are the press reports accurate? If there is bias, how does it arise? This paper, in searching for answers to these questions, examines a phenomenon in which a substantial number of newspapers claimed that one man had engaged in espionage against the United States. The man was Dr. Karl Muck, conductor of the Boston Symphony Orchestra in 1917. Primary sources relating to this incident, if they ever existed, are not now available. What remains is newspaper coverage which originated not in fact, but in other newspapers, innuendo, and overblown charges, all a result of the anti-German hysteria that swept the United States just before and during World War I.

This paper does not intend to document that hysteria, except as it affected Dr. Muck, whose worst sins seems to have been that, though Swiss, he had been born in Germany, that he had conducted German orchestras, and that he felt the American national anthem not to be a symphonic work. Though never proven as fact, Dr. Muck apparently had an affair with a young Boston woman, and -- always the European gentleman -- he allowed himself to be branded as a spy rather than bring the woman's name out publicly.

The accusation of espionage, however, was neither Muck's nor the American government's invention, but a rather fully-developed fiction created by newspapers -- beginning with the Providence Journal -- and amplified over a six-month period. The charges, never substantiated anywhere in the press, cost Muck his position with the Boston Symphony, and sent him to prison for two years, after which he was deported as an undesirable alien.

It is difficult to determine whether the press whipped up the emotions of the reading public, or simply amplified what was already a feeding frenzy in the days just before World War I. The truth is probably closer to a combination of both. The social context of the time reveals a pervasive, zealous and nearly hysterical patriotism. Once the allegations of espionage were made, Dr. Muck's status as a spy took on a life of its own in the press, and within a few days developed into an intense press campaign based on stereotyping and public fear of Germans.

Survey of the Literature

The only previously published piece on Dr. Muck, Lowens (1947), consists of an incomplete narrative which is in many places inaccurate. There are short paragraph or several-page descriptions of the incident in a number of books on music, notably Schonberg (1967), Slonimsky (1938), Damrosch (1923), Howe (1931), Baker-Carr (1977), and Ewen (1936).

A comprehensive search through publications in journalism and mass media disciplines yielded little in the way of information on press attacks on individuals. With regard to press bias and distortion of news, Franks (1972) is helpful. Kobre (1937) describes a female criminal in New York in 1924 about whom "it can be shown that the press merely capitalized on the dramatic crimes of the chief participants, without recognition of other important values." (Kobrey, 1937, p. 133). In describing the case of Celia Cooney, Kobrey notes "the omissions, negligences and ineptitudes" of the press. (Kobrey, 1937, p. 134) Very few newspapers in the Cooney case bothered to look for the person behind the events.

Lawson (1958) treats the "myth" which grew up around a Tory editor active during the American Revolution, and reputed to be a spy for General Washington. Many questions regarding James Rivington still hang in the air. Lawson speculates, but supplies no answers, citing insufficient evidence on which to base hard conclusions. Because of distortion of the original incident, we are left, says Lawson, with a mystery, "and it will remain with us so long as the enigma which disturbed New Yorkers in 1783, and has been disturbing historians ever since, remains." (Lawson, 1958, p. 323).

Methodology

Though any number of music surveys describe the Muck incident, it is the Boston Symphony Orchestra Archives, three floors below the stage of Symphony Hall in Boston, that holds two scrapbooks on the Muck affair which carry 9,500 column inches from 33 east coast newspapers.[1]

While The Providence Public Library microfilm holdings carry no materials relevant to the Muck affair other than newspapers, their files are relevant because The Providence Journal was the first paper to publicize the incident which sparked the Muck furor.

Except for the occasional newspaper quotation, almost nothing is known of Muck's own feelings and reactions to the accusations leveled against him by the press.

The Mood of the Times: George Creel Does His Job

In the years just before World War I, the United States experienced an unprecedented collective hysteria. Perhaps not since the Salem witch trials had the country witnessed the kind of phenomenon which brought intense social wrath on anyone labeled "enemy." In this case, it was anyone who happened to be German or, worse, who happened to be perceived as being German.

Because many Americans, faced with the prospect of Global War, did not wish to see American involvement in the European conflict, President Woodrow Wilson and others in Washington who sought involvement in the European theatre needed public support for their thrust against the Kaiser.

To counter resistance, to quell the groups who agitated for peace and neutrality, an extensive public relations campaign was mounted. One of the ripest targets was education, and the supporters of war assumed that the indoctrination of young people would help their cause and, if the war lasted long enough, provide future recruits for the armed services. Among the many organizations assisting in this effort were the National Education Association, the Committee on Patriotism through Education (a division of the National Security League), and the National Board for Historical Service.

One of the results of this effort was that German could no longer be taught in schools. In fact, the California State Board of Education called German "a language that disseminates the ideals of autocracy, brutality and hatred." (Todd, 1945, p. 54) Instrumental in this campaign against all things German was George Creel, the publicist hired by President Woodrow Wilson to run the Committee on Public Education, which eventually issued 6,000 press releases to American newspapers in support of America's commitment to participate in the war in Europe.

It is not surprising that those of German origin were at risk in this xenophobic atmosphere. It wasn't enough that hamburger and sauerkraut became known as the liberty sandwich and liberty cabbage (people still ate these foods; the name change was enough to satisfy patriots' minds, but not their stomachs). Teachers of German were suspect and in many cases branded as traitors, though nothing in their behavior warranted the charge. And if President Wilson made a careful distinction between the German government and the German people, the grassroots patriotic movement did not, mostly giving vent to "local excess." (Kennedy, 1980, p. 54)

For example, a vigilante group in Wyoming took a man who had praised the Kaiser in German, hung him, cut him down before he died, and made him kiss the American flag. (Todd, 1945, p. 68) In St. Louis, a man of German origin was stripped naked, wrapped in the American flag, and hanged. A jury ruled the culprits not guilty, and the Washington Post wrote "In spite of excesses such as lynching, it is a healthful and wholesome awakening in the interior of the country." (Todd, 1945, p. 68) The country's newspapers were for the most part in support of this war fever, which was pitched in print without much objective reporting where Germans, or supposed Germans, were concerned.

German performers were particularly suspect, and bans on German operas and symphonic works were common. A young Arthur Fiedler, later to conduct the Boston Pops Orchestra, was visited by U.S. marshals who thought the Japanese lanterns at Fiedler's seaside home were being used to signal German U-boats. Fiedler noticed that the German pumpernickel bread he bought at local delicatessens had tiny holes, made by hatpins used to seek out secret messages possibly placed in the bread. Fiedler found himself snickered at by children on the street who whispered that he was a "German spy." (Baker-Carr, 1977, p. 54).

KARL MUCK: Musician or Spy?

Dr. Karl Muck was conductor of the Boston Symphony Orchestra from 1906 to 1908, and again from 1912 to 1918. Born in Germany, Muck was a naturalized Swiss since the day his father had applied for and received Swiss citizenship in 1906. Yet Muck was subjected to an avalanche of serious and unsubstantiated accusations in the press, and as a result lost his Boston Symphony post, was arrested, and subsequently jailed as a prisoner of war.

An austere figure, Karl Muck may not be among the most famous conductors in musical history; no was he among the most beloved. Though women, attracted to the dueling scars he had acquired as a youth, found him charming, in his relationships with colleagues he was nearly always biting and sarcastic, and described as "saturnine and misanthropic." (Schonberg, 1967, p. 216). Born in Darmstadt, Bavaria on October 22, 1859, Muck earned a Ph.D. in classical philology from Heidelberg University before taking up a career in music. He held conducting posts in Prague, Berlin, Zurich, Salzburg, and Bayreuth, and conducted in Moscow and London before being invited to take over the Boston Symphony. As leader of the Royal Opera in Berlin, it was only natural that Muck obtain permission from the Kaiser before taking the Boston post. This contractual, and indeed diplomatic courtesy, so common in Europe, was to cause Muck some difficulty later on. The mere exchange of paperwork was to be served up by newspapers as evidence of espionage activity.

American audiences had no reason to be dissatisfied with Karl Muck's leadership of the Boston Symphony until October 30, 1917, when the BSO was scheduled to give a concert in Providence, Rhode Island. Prior to this event, a number of patriotic groups had requested Mr. C.S. Ellis, the BSO manager, via telegram, that the program open with a playing of the "Star Spangled Banner." [2]

Ellis, together with the orchestra's founder and main sponsor, Major Henry Lee Higginson, apparently decided to ignore the telegram, on the basis that the request had come not from subscribers to the orchestra, but from outside agitators. As later statements from Higginson showed, they apparently did not even inform Muck of the request.

Lowens (1947) describes the immediate reaction:

> Many a Boston Symphony Man must have choked over his breakfast coffee when he read the newspaper headlines on the morning after the concert. Dr. Muck must have been particularly surprised to learn that he had refused to conduct the national anthem on the previous evening, and that he was a dangerous enemy alien who should be driven from the country. (p. 266)

The "dangerous enemy alien" part is embroidery supplied by Lowens, since the article in question, in *The Providence Journal*, offers no comment regarding Muck's alienness. It is, however, headlined American Anthem Entirely Ignored, and the lead consists of a single short sentence: "The Boston Symphony Orchestra did not play 'The Star Spangled Banner' at its concert here last evening." It decries this lack of patriotism, "despite the request of representatives of nine local societies and the Rhode Island Liberty Loan committee..."

The article continues, relating that Reverend A.Z. Conrad, pastor of the Park Street Congregational Church, read the names of all the petitioners from his pulpit, after which he told his congregation: "Any man who wields a baton under the Stars and Stripes and isn't willing to play it, shouldn't be allowed to live under them. In Boston, Symphony Hall is the only public hall where the Stars and Stripes are not displayed, because Dr. Karl Muck will not permit it." The idea of the conductor making such a decision for the orchestra management would under normal circumstances be considered ludicrous. But the circumstances were not normal, and readers of *The Journal* were in a mood to accept what they read.

The Journal also complained about the refusal of the orchestra management to sell late tickets for this concert (there were apparently some empty seats in the last rows) to anyone who was not already a subscriber. A *Journal* reporter was refused admission by Ellis himself. In the ensuing conversation, quoted by *The Journal,* Ellis reminded the Journal that the orchestra played the national anthem in Boston for 10 weeks during its pops concerts.

The *Journal* reporter probed further, asking Ellis if Muck conducted the pops events. No, said Ellis, Muck does not lead the pops concerts. The reporter asked: "Has he ever led The Star Spangled Banner?" Ellis replied: "I do not know." [3]

Thus, nothing in the original newspaper article hints at espionage; artistic disdain, perhaps, but not in the service of the Kaiser. That accusation was to come later, as newspapers elsewhere took up the cause and transformed Muck from a man of musical principle, possibly a pig-headed one, into one of the Kaiser's spies. Beyond this initial news story, neither Ellis nor Higginson are implicated; it was always Muck who served as the target of the press.

November 1st was a busy day for the newspapers. Higginson came to Muck's defense, pointing out that the decision had been his [Higginson's] and Ellis' alone. Higginson unfortunately at this point made a public relations blunder, telling *The Boston Globe* that the national anthem did not belong in an art concert. Even worse, Muck compounded the situation by telling *The Boston Advertiser* -- this then picked up by *The Providence Journal* and other papers -- that "to ask us to play the 'Star Spangled Banner' is embarrassing. It is almost an insult."[4]

The Journal ran a political cartoon, placed at the top center of the front page, entitled "Time to Do A Little Muck Raking" (a phrase other papers picked up) showing Uncle Sam using a pair of long tongs to grab Muck off the stage while we was conducting. This was to be a prophetic view of the next six months of Muck's life.

On November 1, a *Journal* article appeared with the headline Dr. Muck's Action Roundly Assailed, and among the subheads, Government Agent Acts. The agent in question was Tom Howick, of the department of Justice, who "said that he would make a full report of the episode to the officials at Washington and recommend that further concerts by the organization anywhere in the United States be forbidden unless the national anthem is made a part of each programme." The same article reports that the Providence Board of Police Commissioners deemed it too early to say what action they would take, but that they were thinking of denying the orchestra a license to play in Providence. The last half of this article repeats much of the story of the telegram, and adds a statement by Ellis that Dr. Muck did not know such a telegram had been received.

This story is followed immediately by one in which Major Higginson threatens to disband the orchestra. This following piece carries the full quotation in which Muck gives the American audience a piece of his mind:

> Why will people be so silly? Art is a thing by itself and not related to any particular nation or group. Therefore it would be a gross mistake -- a violation of artistic taste and principles -- for such an organization as ours to play patriotic airs....Art is international. I have representatives of 25 different nationalities in my orchestra. All the nations at war are represented...I do not want to introduce anything which would destroy the esprit de corps which it has taken so many years to bring to its present state of perfection...To ask us to play "The Star Spangled Banner" is embarrassing. It is almost impertinent... The public has no right to demand it..."

Muck's reasoning may or may not have merit, depending on which side of the question the reader is on. As an artist, a man who worked with his back to his audience, Muck could be forgiven for not understanding the mood of the country. Here is a man whose integrity is at stake. Had he felt more the temper of the time, and had he been a different person, prudence might have dictated giving in to public opinion.

A *Journal* editorial that same day suggests that "alien and Pro-German musicians" should be required to heed the advice of the Attorney General -- "to obey the laws and keep their mouths shut."

The ruckus began to spread. *The Providence Journal* reported, in a November 6 story datelined from Baltimore, that at a rally:

> three thousand fellow citizens of Francis Scott Key, with a mighty yell which they tried to make loud enough to be heard in Berlin, gave warning...to Dr. Karl Muck and all of his Prussianized countrymen in America that "he courts danger" who insults "The Star Spangled Banner" and, through the national anthem, the flag.

This article quotes former Maryland Governor Edwin Warfield to the effect that the government should intern not only Muck but "all enemy aliens who are a menace to the safety of the American people." Maryland Secretary of State Thomas B. Simmons, to the cheers of the assembled, recommended "the firing squad at sunrise."

Simmons tells the crowd how Muck "galloped through" the national Anthem at a concert in Philadelphia the previous evening whereupon the audience, which had been booing every mention of Muck's name, began booing every time Philadelphia was mentioned, apparently because the City of Brotherly Love had allowed this dangerous alien to conduct there at all.

The crowd was responsive: in place of an internment camp, one person shouted "a wooden box would be better." A woman yelled that officials should "shoot all the traitors," and someone else wanted Francis Scott Key to rise from his grave and "haunt Dr. Muck forever."

There have been hints, notably from Schonberg, that an editor of *The Providence Journal* who disliked Muck began the series of events that would eventually lead to Muck's resignation from the BSO, and his subsequent arrest and incarceration. No evidence has come to light to substantiate the possibility, but there is no question that the phenomenon went far beyond the scope of one man's ire.

Given the mood of the country, the press war against Muck was given momentum by something that MacKay (1974) calls a "moral epidemic." (xvii). In citing "seasons of excitement and recklessness," MacKay finds that

> whole communities suddenly fix their minds upon one cbject, and go mad in its pursuit; that millions of people become simultaneously impressed with one delusion, and run after it, til their attention is caught by some new folly more captivating than the first. We see one nation suddenly seized, from its highest to its lowest members, with a fierce desire of military glory; another as suddenly becoming crazed upon a religious scruple; and neither of them recovering its senses until it has shed rivers of blood and sowed a harvest of groans and tears, to be reaped by its posterity. (MacKay, 1974, xix).

Karl Muck may not have yet realized it, and perhaps he never did, but the press gave him another existence; one which had very little to do with the real Dr. Karl Muck. Muck in Real Life and Muck in the Press became two separate entities.

Trow (1981) calls this the grid of intimacy and the grid of two-hundred million. Walter Cronkite (or any other well-known media figure) is a human being when he is eating breakfast, and something else when he appears in a mass medium to communicate with the mass audience, an audience he cannot see, feel, touch or otherwise relate to. Walter Cronkite the person relates to a piece of technology called a camera. The audience responds to Walter Cronkite the image. While Dr. Muck the person may have been an unpleasant and demanding conductor, and a man of principle, right or wrong, Dr. Muck as image in the newspapers was an alien, a German, and a spy.

In a November 2 article, *The Providence Journal,* regarding action on the matter by the Board of Aldermen and Chamber of Commerce, quotes Colonel H. Anthony Dyer telling the Chaminade Club:

> one of the worst German intrigues in this country was this music propaganda, which still claimed Germany and German artists as the home of the soul of music...Col. Dyer pictured Dr. Muck as thus reporting the story of his success in Providence to his home office: "Hon. Kaiser, I have done your work, have carried out my work in the name of art and gotten away with it."

It would not be difficult to believe that listeners in the audience, or readers of the paper, might either overlook or forget that this is a fanciful supposition on Col. Dyer's part, and think of it as actually having happened.

One of the striking aspects of this newspaper campaign against one man was its lack of dimensionality. Muck's talent as a musician was never mentioned. Any complexity in regard to his work or his personal feelings is ignored in favor of a rather sour simplicity. No matter how outwardly crusty someone may be, they have feelings; in fact, Bruno Walter, himself a generous and sensitive conductor, once spoke of his friend Muck as having hidden his real feelings under a brusque exterior. (Schonberg, 1967, p. 220).

At this point, just three days after the initial event, entire pages of *The Journal* were given over to who was and who was not singing or playing the national anthem at concerts, and what was going to be done about Dr. Muck. Muck had became a journalistic obsession.

On November 3, *The Journal* reported that Muck had tendered his resignation from the BSO, but Higginson rejected the offer. It was also reported, that same day, via *The Journal*'s Washington bureau and a November 2nd dateline, that the Justice Department was conducting a "quiet investigation" into the "real reasons" behind Muck's behavior. After a nine-line lead which gives no specifics, the rest of the article's 55 lines are devoted to a concert Muck was to give in Washington the week after, and whether or not it should be allowed to proceed.

November 3 found *The Boston Traveler* and other papers quoting Teddy Roosevelt calling for Muck's imprisonment: "At this time no man has any business to be engaged in anything that is not subordinated to patriotism. If the Boston Symphony will not play the national anthem, it ought to be shut up." Meaning, of course, locked up.

On November 8 *The Journal* ran a front page piece headlined Muck's Own Testimony Convicts Him as German Propagandist, and a deck which said Concert Conductor, in prosecuting Bogus Collector for 'The Fatherland,' Who is Sent to Prison, Testifies He Gave Defendant $300 Intended to Aid Publication and Had Many Other Gifts for Like Purposes.

The Journal had found a smoking gun. Except that it was more of a blank cartridge. Muck, whom the article calls "a rabid supporter of Germany's cause," had, in California in 1915, given $300 to one Frederick Gresheimer, to be given to a German magazine called *The Fatherland.* Muck subsequently discovered that Gresheimer did not represent the magazine and had him arrested. Gresheimer, on Muck's testimony, was convicted of fraud and sent to Folsom Prison.

Apparently *The Fatherland* had said that American authorities were responsible for American lives lost in the sinking of the Lusitania "because [said *The Fatherland*] they had sold their soul to England." The magazine was further quoted as saying that "if a conflict should arise between the United States and Germany, the blame would rest on Washington and not Berlin." Hardly inflammatory prose. The newspaper concludes with this paragraph:

> By his own statement to the San Francisco Courts, [Muck] has made it apparent that at least a considerable portion of the money which comes to him through the good will of the American people has been spent in the past in aiding German propaganda of the most vicious and traitorous character.

Muck was paid $25,000 per year.[5] The claim that a "considerable" portion of his income went to support German interests is nearly impossible to demonstrate. No newspaper, and no government documents, were ever put forward to substantiate the statement. And the Gresheim business took place in 1915 -- well before the war.

Editorializing in news stories is a fact of journalistic life. Yet the quality of reporting on what was, after all, a local incident, went far beyond what meager facts were available. And what version of the story you got depended on where you lived and what paper you read. Some papers reported that Muck had played the national anthem and then had resigned, others that Muck had resigned, and then played the national anthem, as papers borrowed substantial amounts of copy from one another.

On November 11, referring to a "another labored statement" by Higginson, *The Journal*'s willingness to twist reality was raised a notch. The paper insisted, despite Higginson's statements to the contrary, that Muck knew about the telegram. When Higginson says the national anthem was played at pops concerts, the paper reminds us that Muck did not conduct the pops, "a fact which Major Higginson conveniently ignores." Yet the paper had published this information, quoting Major Higginson, a week previously. The Journal calls Muck "a propagandist of a highly dangerous type" and concludes, stridently, "The American people know the facts and the more [Higginson] tries to argue them away the worse face he puts on the whole sorry business." The only problem, relative to Muck the spy, was that there were no facts.

This did not stop most east coast papers from turning out reams of copy over what *The Boston Advertiser* initially referred to as a "big rumpus." From late October, 1917 until April, 1918, the press in these cities and elsewhere, at least as far west as St. Louis, became preoccupied with the Muck affair.

The Government Steps In: Sort of

As early as November 3, *The Philadelphia Evening Public*, in a strikingly oxymoronic observation, reported that Federal agents had made a "hurried but thorough investigation." The paper is forced to report that as yet no conclusive results had been announced by any government body. Many papers simply quoted *The Providence Journal*. On November 8, *The Philadelphia Inquirer*, using a phrase that was to echo throughout the following months, said "The Providence Journal will say tomorrow," and then repeated verbatim what was in the Journal piece.

This constant Muck-bashing continued through the ensuing months, with headlines like War On Dr. Muck Growing Warmer(*The New York World*), and Herr Muck and His Enemy Aliens Here Tonight (*The New York Herald*). The *Herald frequently* referred to Muck as "Doktor Muck."

Muck had his defenders, many of whom wrote letters to the newspapers which could be paraphrased as "let's get on with the war and leave the poor man alone." *The New York American*, in a March 16 editorial, said, "we should make our war upon enemies, not upon artists." But most papers weren't having that, nor was most of the patriotically inflamed public.

Enter Mrs. Jay: Down with German Opera

The campaign against Muck continued until the Spring of 1918, when Mrs. William Jay, a director of the New York Philharmonic Society, almost on her own instituted another phase of the campaign.[6] Mrs. Jay had been for some time agitating against the performing of German opera in America. Lining up the Daughters of the American Revolution, the Rector of Trinity Church, a Judge, and other power brokers in New York City, Mrs. Jay began agitating against an appearance of the Boston Symphony at Carnegie Hall which had been scheduled for March 14. As part of her campaign, Mrs. Jay publicly posed three questions to Muck:

> 1. Have you a passport issued by the Swiss government?
> 2. Have you ever served in the German Army?
> 3. If you have papers attesting to your Swiss citizenship will you show them to a representative of our group before you appear at Carnegie Hall?

Lowens rightly refers to these questions as insulting, but that is seeing them from the perspective of history. Given the emotional climate of the time, American citizens who did not ship out to fight the Hun in Europe could carry on the war from their living rooms. In fact, waving a newspaper which attacked Muck would have been like waving the flag.

This time, the BSO management was ready: Muck played the national anthem, and after the concert, Major Higginson came from the wings to present Muck's Swiss citizenship papers. In all, a triumph for Muck. He was not, however, to escape unscathed from vilification by ink.

As with the possibly vengeful *Providence Journal* editor, Mrs. Jay's action became a juggernaut that went beyond her control. The temper of the times had not changed. Despite his victory in New York, Muck, whom *The Boston Record* called "the stormy petrel of American musical circles," was arrested on March 25, 1918, on charges that were never made public. *The Record* presented that day a bulleted list of Muck's sins, including:

> -sending money to German non-combatants
> -expressing a fine contempt for American 'rabble'
> -privately criticizing American war effort
> -did not want to play the national anthem

It is a measure of the country's mood that such behavior could be seen as worth taking away a man's freedom. *The Record* inserted an intriguing observation of Muck the man, after his arrest, in an attempt to show him as agitated:

> While apparently calm and nonchalant in his attitude, the musical genius betrayed a certain nervousness, for in less than three hours he had smoked nearly 100 cigarettes from a tin which was brought to him.

Most accounts of Muck the person describe him as smoking five packs of cigarettes daily; it seems hardly out of place that he would smoke just as many, if not more, under the stressful conditions of arrest.

As if vindicated in their assaults, the newspapers conducted their own concerto as accompaniment to Muck's arrest. Two days later, on March 28, *The New York Evening Sun* reported, under the headline Muck May Be Tried As Spy, that "among his papers are letters that may prove interesting to the authorities." This is a meaningless statement, yet once again the casual reader might assume that Muck possessed incriminating documents. On March 31, *The Baltimore Sun* reported that "Herr Muck" was rumored to have had a wireless station, and called that a "subject of interesting speculation.

Muck had conducted for the Kaiser, which may or may not have required German citizenship. Muck maintained such a requirement was in his case waived, and it appeared the American authorities could do nothing to prove or disprove the point. Nor did Muck's correspondence with the Kaiser, asking permission to go to Boston, ever surface in any newspaper account. There is, in fact, no verbatim evidence in any article in all of the nearly 10,000 column inches of print, that Muck was anything other than a conductor of an orchestra.

It was about this time that some backstage machinations did come to light, but not on Muck's part. And not publicly, but in private correspondence between Muck's attorneys and Ellis. In a letter to Ellis, attorney J. Harry Covington, of Covington, Burling & Rublee, wrote in Muck's defense:

> One or more of the officials who took part in Dr. Muck's arrest and in the seizure of his papers were in danger of indicting themselves for misuse of documents belonging to the government. One of them sold to a newspaper syndicate what purported to be translations of his [Muck's] letters, in complete disregard of the directions of the U.S. Attorney of this district.[7]

The key phrase is "what purported to be translations." The newspapers must have found the material lacking in substance, because no such documents ever turned up. The newspaper reports, which day after day attacked Karl Muck, consistently lack anything that could be considered inimical to the political interests of the United States.

Muck resigned from the orchestra on March 30. On April 1, he gave a deposition to U.S. officials -- two Special Agents and two U.S. Attorneys General, a transcript of which resides in the BSO Archives, and which centers on a set of letters written by Muck to a woman friend. Neither her name or status, nor the content of the letters is described in this transcript, but the woman, 20, was of a prominent Boston society family, the affair was extra-marital for Muck, who accepted arrest as an alien rather than face charges under the Mann Act. (Baker-Carr, 1977, p. 59) It appears that the government, knowing there was no real evidence against Muck, forced him into a kind of plea-bargain in order to satisfy patriotic interests.

Why the newspapers did not go for the scandal rather than the trumped-up spy charge will remain one of the most curious aspects of the Muck affair. It cannot be that intrepid reporters did not know what was must have been common gossip in Boston music circles. Perhaps Muck the spy could sell more papers than Muck the philanderer.

Muck was interned in Fort Oglethorpe, GA on April 16 for the remainder of the war. He left the U.S. on August 19, 1919, never to return. His last comment: "I was not a German though they said I was. I considered myself an American." (Lowen, 1947, p. 274)

Muck died on March 4, 1940. *The Providence Journal* ran a summarized version of its own side of the Muck story. *The New York Times* obit rendered a short, objective version of the incident: "Dr. Muck...was driven from the podium of the Boston Symphony Orchestra in the wave of hysteria that swept this nation in 1918." The obit goes on to note that Muck was

> "vigorously attacked by Mrs. William Jay, a director of the New York Philharmonic Society; Bishop Manning, Theodore Roosevelt and others because of his German birth and his alleged refusal to play the national anthem during a concert at Providence, R.I. In this he was supported by Major Higginson.
>
> He was eventually arrested on suspicion of espionage and interned at Fort Oglethorpe, Ga., as an enemy alien. When released after the armistice, he left America voluntarily and never visited this country again.

In fact, Muck's departure may not have been voluntary. On the day he left, *The New York Times* itself reported:

> a federal agent remained at the pier until the ship started. He said he had warned the captain of the liner to make sure that Dr. Muck did not leave the vessel within the three mile limit.

Further on in its text, the obit tells us that Muck's second appointment to the Boston position, in 1912, was a result of his unhappiness with the Kaiser's "dictatorial manner" and that Muck was "anxious to be away from his [the Kaiser's] control."

This last word serves as an ironic coda to the story of Karl Muck. Perhaps Frank, though he was speaking of another time and place, provides a partial answer:

> The degree to which this biased and distorted press molded and mobilized public opinion will remain conjectural. Nevertheless the proposition is plausible that radical Virginians, tending to believe what they read and prepared to believe the worst of the British Government, could not ignore the fearful rumors and dark reports coming their way from Boston and London. The strain of such tidings may well have exacerbated antagonism over clearly understood constitutional principles, making their violation seem more evil and dangerous than would otherwise have appeared. (Frank, 1972, p. 739)

APPENDIX A

The telegram sent to the Boston Symphony management read as follows:

> THE UNDERSIGNED EARNESTLY REQUEST THAT "THE STAR SPANGLED BANNER" BE PLAYED BY THE BOSTON SYMPHONY ORCHESTRA THIS EVENING, OCTOBER 30, AT INFANTRY HALL.

The signatories are as follows:

Mrs. Emma Winslow Childs, President, Chopin Club

Mrs. Harold J. Gross, President, Monday Morning Club

Mrs. George S. Mathews, Vice President MacDowell Club, and chairman of the music committee of the Rhode Island State Federation of Women's Clubs

Miss Mary S. Winsor, President, Schubert Club

Miss Virginia Boyd Anderson, presiding officer, Rhode Island State Federation of Musical Clubs

Mrs. George Hail, President, Northeastern District National Federation of Music Clubs

Mrs. James E. McConnell, President of the Chaminade Club

Mrs. Gilbert C. Carpenter, First Vice President of the Chaminade Club

APPENDIX B

A List of Newspaper whose clippings, relative to the Karl Muck incident, are held in The Boston Symphony Orchestra Archives

Boston

The Transcript
The Traveler
The Post
The Globe
The Record
The Monitor
The Herald
The Advertiser
The American

New York

The New York Times
The Citizen
The Brooklyn Times
The Brooklyn Standard Union
The World
The Evening Globe
The Telegram
The Sun
The Evening Post
The Telegram
The Tribune
The Brooklyn Citizen
The Morning Telegraph
The Independent
The Tribune
The American
The Evening Mail

Baltimore, MD

The Manufacturer's Record
The News

Washington, DC

The Herald
The Times

Philadelphia

The Press
The Bulletin
The Public Ledger

Springfield, MA

The Republican

APPENDIX C

BOSTON SYMPHONY ORCHESTRA
DR. KARL MUCK, CONDUCTOR
C. A. ELLIS, MANAGER
SYMPHONY HALL, BOSTON

Dear Sir or Madame:

For the information of subscribers to concerts by the Boston Symphony Orchestra and to correct the impression made by assertions concerning Doctor Karl Muck widely circulated by publication in newspapers and in other ways, I beg to submit the following statements which can be verified by anyone who cares to make inquiries of the proper authorities.

Doctor Muck is not a Prussian.
He is not an "enemy alien" of the United States.
He is not an official of the German Government.
He is not a citizen of Germany.
While he was born in Bavaria, he is a citizen of Switzerland, as was his father.

After careful investigation of many fantastic and pernicious rumors about Doctor Muck that have been brought to their attention, the Federal authorities "have found nothing to incriminate him as a German agent or as having performed any act which is prejudicial to the interests of our country".

Doctor Muck is a man of high attainments and his unusual gifts as a musical director are well known. During the more than seven years he has been in America he has respected our laws and has complied with them in letter and spirit.

For the three years of the war he has directed our cosmopolitan orchestra with rare tact in almost daily rehearsals and concerts. He has permitted no discussion of political affairs and there has not been the slightest friction among our musicians of many nationalities. The membership of the Boston Symphony Orchestra comprises: 51 American citizens, (17 native born), 22 Germans, 8 Austrians, 2 Italians, 2 British, 6 Dutch, 2 Russians, 3 French, 2 Belgians, 2 Bohemians.

One subject which has caused much unkind and undeserved criticism of Doctor Muck has been a report emanating from Providence and sent broadcast over the country, that he refused to conduct the Star Spangled Banner in our concerts. He has never refused. On the contrary, when requested he willingly complied and he has since conducted our National Anthem in every concert by our organization.

I am

Yours respectfully,

November 29, 1917

BEST COPY AVAILABLE

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ENDNOTES

1. A complete list of the newspapers in the BSO Archives is found in Appendix A.

2. The text and a list of the signatories to the telegram can be found in Appendix B.

3. This article is followed immediately by a shorter one indicating that Mme. Frieda Hempel, "noted grand opera singer," had agreed to sing "The Star Spangled Banner" at her concert in Providence the following Sunday, thus clearing the way for a license to perform. The subhead reads Police Ban on Sunday Concert May Be Lifted.

4. A letter from the orchestra management to patrons, explaining the management's position, can be found in Appendix C.

5. This information was supplied verbally by Ms. Brigit Blagborough, the Boston Symphony Archivist, who verified it through orchestra records of the time.

6. Lowens maintains that the anti-Muck campaign had quieted down, but it had not. With headlines like Loyal Foes of Prussian Direktor Expect Action Today and Kaiser's Direcktor and Band Reach City, it could hardly be said that the campaign was over.

7. From private correspondence in the Boston Symphony Archives.

Trends in Daily Newspaper Costs and Revenues
1978-1990

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Media Management and Economics Division
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TRENDS IN DAILY NEWSPAPER COSTS AND REVENUES

1978-1990

INTRODUCTION

Reports of newspaper layoffs, the death of a number of newspapers, the sale of other newspapers, and the general hard times suffered by the industry during the past two years fill the trade press.

Fortune magazine reported an 11.2 percent decrease in profits during 1991.[1] But the industry has a higher return on sales (5.5 percent compared to the median of 4.5 percent), a 22.7 percent return on investment for 1990, and a return on assets that matches other Fortune 500 industries median (4.8 percent).

Other reports suggest that while newspapers were in decline, high prices - sometimes as high as 40 times cash flow - were paid for newspapers.[2] *NewsInc.*'s stock index of eleven regularly traded newspaper companies shows a six-month decline. At the same time, newsprint costs, a major newspaper expense, are down because of a decrease in demand.[3] Newspaper analyst Nobel projected in October 1990 that small city newspapers should fare better than larger newspapers in the expected recession.[4] A special report in *presstime*[5] looks at what stock analysts, economists and newspaper executives thought of the economic situation, and suggests that short-term predictions are flawed.[6]

However, even the forecasts for an improvement seem to be anecdotal and much of what has been reported as a guide to the industry has been based on the publicly held newspapers and chains.

That is not to say that researchers have ignored significant data looking at the economic future of the industry. For example, Udell in his 1990 study based on newspaper advertisements and newsprint consumption concludes that "Despite this uncertainty [i.e., economic uncertainty was considered unusually high], and severe competition for both readers and advertisers, newspapers appear adequately positioned to enjoy economic health which is essential to the preservation of a free press in a democratic society."[7]

Busterna's study of the impact of chain ownership on newspaper ad cost and his study of newspaper scale and newspaper expenditure help evaluate the industry.[8] Demers study into the emphasis on profits also looks at a broad-based group of newspapers.[9] Even so, little has been reported in recent years concerning economic trends among the largest group of dailies in the country - those with circulations of 50,000 or less.

An earlier study by Tharp and Stanley[10] suggests that not all newspapers can be judged by the mega firms whose financial data are most accessible. According to Editor and Publisher International Yearbook, 1991, of the total of 1,611 newspapers in the country, 1,343, or 83 percent have circulations of less than 50,000[11]. Many of these newspapers are not included in the publicly shared financial data on which many industry studies are based.

What appears to be needed is a look at trends over time, making adjustments for inflation and other economic measures, to develop a more solid basis that could help assess the long-term economic health of daily newspapers.

In an earlier study, the authors of this paper looked at simple trends in profits of this group of newspapers from 1978-1988. That study used aggregate information collected annually and in a consistent form by the Inland Press Association through anonymous, self-reporting surveys grouped by circulation size.

The purpose of this study is to look at additional Inland Press Association survey data, updated to 1990, focusing on the changing costs of producing newspapers and the changes in the various sources of revenue. The two studies combined attempt to present a broader picture of newspaper finances and to focus on newspapers under 50,000 which are best represented in the IPA data and most representative of newspapers throughout the country.

Research questions raised in this paper were:

1. How do costs in various departments (news/editorial, circulation, advertising and production) in different circulation size newspapers vary with the business cycle?

2. How do revenues from advertising and circulation in different circulation size newspapers fluctuate during such business cycles?

3. Do newspapers adjust to the business cycle by changing the number of pages, number of employees, and size of the newshole?

METHODS

This study is based on data from the Inland Press Association data from its annual National Cost and Revenue Study for each year from 1978 through 1990, a survey sent to all dailies listed in Editor and Publisher International Yearbook.[12] The organization has used consistent categories for all its surveys except for a minor item concerning full-time and part-time employees which was refined in recent years.

While flaws exist in such self-reporting surveys, Stone found that results from a randomly selected, national newspaper economics survey and one using Inland self-reported data were comparable, concluding "These two studies (Inland and the National Newspapers Association survey), even with low response rates and self selection of participants, seem as representative of the national spectrum of newspaper they seek to measure as are the randomly selected participants in the 1975 survey."[13]

The Inland data are consistent, but information which would have been helpful in assessing each newspaper is not available. From the summary data available for this study, little is known except the circulation size of the participating newspaper. Characteristics such as the competition or lack of competition or the general growth of the specific newspaper's geographic area would have been useful.

In addition, the survey participants vary from year to year. The survey is structured so that information is presented in clusters of 12 newspapers of a particular circulation category. Such aggregate data are used to describe relations for typical members of a group and are accurate as long as the base is the same and if each member of the group behaves similarly.[14] The standard deviation seen in the aggregate figures suggests little variation within each group.

Newspapers in this study are grouped in four categories: Group 1, circulation size under 10,000; Group 2, circulation size 10,000 to 24,999: Group 3, circulation 25,000 to 49,999; and Group 4, circulation 50,000 to 100,000. Larger newspapers are not included since their sizes show great dispersion. With such dispersion, the assumption of similar behavior within this larger group is tenuous.[15]

This study analyzes both various categories of costs and revenues in each circulation. Costs in each circulation group in the news, advertising, circulation and production departments are calculated as percentages of total newspaper costs and total newspaper revenues. By using percentages, the numbers are more comparable across different sizes of newspapers.

Department expenses are calculated as a percentage of total expense to show how the share of resources used in the production of newspapers is changing with the business cycle and over time. Department expenses are also calculated as a percentage of total revenue to show which expenses have the greatest effect on profit margins over time and during economic expansions.

Newspaper revenue in this study includes circulation revenue and advertising revenue from various sources. Circulation revenue and advertising revenue are both expressed as a percentage of total newspaper revenue. Advertising revenue from four sources (retail ads, national ads, classified ads, and preprints) are expressed as a percentage of total advertising revenue. Finally, this study looks at advertising revenue per inch for national ads, retail ads, classified ads, and legal ads. Values for advertising per inch are expressed in real terms by dividing each value of a given year by the GNP deflator for that year (and multiplying by 100).

The overall profitability of the newspapers is calculated by finding newspaper cost as a percentage of newspaper revenue. This is analogous to calculating a profit margin where the profit margin is defined as gross newspaper profit as a percentage of newspaper revenue. Since gross profit is total newspaper revenue minus total newspaper cost, the profit margin is equal to one minus newspaper cost as a percentage of newspaper revenue. Newspaper cost as a percentage of newspaper revenue is used instead of the profit margin to parallel the use of other categories of costs that are expressed as a percentage of revenue.

Finally, the number of run of press (ROP) pages issued, the number of full time news-editorial and advertising employees, and the total ROP space devoted to advertising are also analyzed.

As in Tharp and Stanley (1992), time series analysis is used to examine trends in the costs and revenues of newspapers and changes due to economic fluctuations. Time series analysis is a statistical technique commonly used in forecasting an economic time series variable. An economic time series is simply a variable observed over several time periods.

Therefore, any of the variables discussed above can be analyzed using time series analysis.

Time series analysis decomposes a time series into its trend and cyclical components. Ordinary least squares is used where the dependent variable is the time series variable being analyzed and the independent variables are variables measuring trend and economic fluctuations. The independent variables used in this study are:

CU: Capacity utilization of manufacturing firms for the observed year expressed as a percentage.

INF: the percentage change in the Gross National Product (GNP) deflator for the observed years.

TIME: a variable that ranges from 1 to 13. Time is a 1 for 1978, a 2 for 1979, a 3 in 1980 and so on until 1990 when TIME equals 13.

SIZE: the average size of newspapers in each observation.

All variables above are the same as used in Tharp and Stanley (1992) except for the inclusion of SIZE. CU and INF are measures of general economic activity. CU is an indicator of the level of real activity in the economy. The closer CU is to 100, the more capacity is being utilized by firms in the economy, and hence, the greater the level of real economic activity. Increasing levels of CU represent expansionary periods; decreasing levels represent contractionary periods. Other variables such as unemployment and the percentage change in GNP also measure real economic activity. However, similar time series studies have found that CU performs better as a measure of economic activity in this type of time series analysis and this was also true for our study.

INF is an indicator of the rate of inflation. Again, other variables such as the change in the Producer Price Index (PPI) can replace INF without changing the results of the decomposition.

Capacity utilization is highest in 1978 and 1979 followed by 1988 and 1989, and is lowest in 1982 and 1983. Low years mean poor business years; high years mean good business years overall in the economy.

Three years during this study were exceptionally high inflationary years (1981 at 10%, 1980 at 9.5%, and 1979 at 8.6%). After 1982, the inflation rate never exceeded 4.4%.

TIME is an index variable that measures any trend in the time series variable.

SIZE was included in this study because for some of the variables studied, the size of the newspapers in an observation determined, in part, the value of the time series variable. For example, in decomposing the number of ROP pages, SIZE was significant in determining the number of ROP pages within any size group. As will be seen in the results, SIZE is not always an important variable; however, its inclusion will not affect the results of the decomposition. Therefore, for consistency, it is included in all regression equations.

A time series equation for each variable is estimated for each size group. Coefficients for each variable in each equation and their corresponding t-statistics are presented in a series of tables.[16] In addition, for each variable a yearly average is calculated for each size group of newspapers. These averages are then presented in a series of figures which show the variation of the variables over time and the differences between the values of the variables across newspaper size groups.

RESULTS

Overall Profitability of Newspapers

Figure 1 presents newspaper cost as a percentage of newspaper revenue. For group 1, this variable averaged 93.7% with a minimum yearly mean of 89.1% in 1978 and a maximum of 96.4% in 1990. For newspapers in Group 2, the minimum yearly mean cost as a percentage of revenue was 79.2% in 1990, the maximum yearly percent was 87.3% in

1982 and the overall mean during these years was 84.7%. Papers in Group 3 averaged 80.5% with a yearly minimum of 71.7% in 1990 and a yearly maximum of 83.6% in 1989. Group 4 papers averaged 81.7% over the 13 year period with a yearly minimum of 75.8% in 1986 and a yearly maximum of 85.4% in 1980.

Figure 1a presents profit margins. As previously noted, the profit margin is equal to one minus newspaper cost as a percentage of newspaper revenue. For group 1, this variable averaged 6.3% with a maximum yearly mean of 10.9% in 1978 and a minimum of 3.6% in 1990. For newspapers in Group 2, the maximum yearly mean cost as a percentage of revenue was 20.8% in 1990, the minimum yearly percent was 12.7% in 1982 and the overall mean during these years was 15.3%. Papers in Group 3 averaged 19.5% with a yearly maximum of 28.3% in 1990 and a yearly minimum of 16.4% in 1989. Group 4 papers averaged 18.3% over the 13 year period with a yearly maximum of 24.2% in 1986 and a yearly minimum of 14.6% in 1980.

Table 1 gives the time series analysis for this variable. For all sizes of newspapers, cost as a percentage of revenue falls during expansionary periods. This relationship is significant at $\rho < .10$ for newspapers with circulation less than 25,000 and for those with circulation greater than 50,000.[17] This implies that costs are rising at a slower rate than revenues during expansionary periods, and thus, profit margins are increasing. Only for newspapers with circulation between 50,000 and 100,000 is this ratio affected by inflation. During inflationary periods, this ratio increases for these largest newspapers and thus profit margins decrease. Finally, for the smallest newspapers (circulation less than 10,000) this ratio is becoming significantly greater over time, implying that profit margins are falling over time for this group of newspapers. In summary, the profit margins of all sizes of newspapers except those with circulation between 25,000 and 50,000 are affected by the business cycle.

Cost by Department as a Percentage of Total Cost

Figures 2-5 present yearly averages of each of four variables as a percentage of total newspaper cost, respectively: production expense, news-editorial expense, circulation expense and advertising expense. Figure 2 shows that for Group 1, production expense averaged 28.1% with a minimum yearly mean of 26.6% in 1986 and a maximum of 30% in 1979. For newspapers in Group 2, the minimum yearly mean production cost was 28.1% in 1986, the maximum yearly value was 33.2% in 1979 and the overall mean during these years was 30.8%. Papers in Group 3 averaged 32.5% with a yearly minimum of 29.9% in 1986 and a yearly maximum of 34.9% in 1978. Group 4 papers averaged 34.2% over the 13 year period with a yearly minimum of 31.8% percent in 1986 and a yearly maximum of 36.8% in 1978.

Figure 3 shows that for Group 1, news-editorial expense averaged 15% with a minimum yearly mean of 14.8% in 1984 and a maximum of 15.5% in 1990. For newspapers in Group 2, the minimum yearly mean news-editorial cost was 14.1% in 1978 and 1979, the maximum yearly value was 15.8% in 1990 and the overall mean during these years was 14.8%. Papers in Group 3 averaged 14.6% with a yearly minimum of 13.9% in 1980 and a yearly maximum of 15.6% in 1989. Group 4 papers averaged 14.4% over the 13 year period with a yearly minimum of 14% in 1984 and a yearly maximum of 14.9% in 1983.

Figure 4 shows that for Group 1, circulation expense averaged 10.5% with a minimum yearly mean of 8.5% in 1987 and a maximum of 11.7% in 1982. For newspapers in Group 2, the minimum yearly mean circulation cost was 8.8% in 1990 the maximum yearly value was 12.4% in 1986 and the overall mean during these years was 11%. Papers in Group 3 averaged 11.2% with a yearly minimum of 9.3% in 1990 and a yearly maximum of 13% in 1984. Group 4 papers averaged 13.3% over the 13 year period with a yearly minimum of 11% in 1987 and a yearly maximum of 15.4% in 1986.

Figure 5 shows that for Group 1, advertising expense averaged 10.8% with a minimum yearly mean of 10.2% in 1984 and a maximum of 11.4% in 1990. For newspapers in Group 2, the minimum yearly mean advertising cost was 10% in 1984, the maximum yearly value was 11.6% in 1990 and the overall mean during these years was 10.4%. Papers in Group 3 averaged 9.3% with a yearly minimum of 8.8% in 1986 and a yearly maximum of 10.5% in 1990. Group 4 papers averaged 8.5% over the 13 year period with a yearly minimum of 7.7% in 1980 and a yearly maximum of 10.5% in 1990.

Tables 2-5 present a time series analysis of each of the four expense categories as a percentage of total newspaper expense. Several results in the tables are noteworthy. First, there is a change in how costs are distributed over time. Circulation expense as a percentage of total newspaper expense has decreased over time for all sizes of newspapers while advertising expense has become a larger percentage of total newspaper expense over time. News-editorial expense has also become a greater percentage of total expense for newspapers with circulation between 10,000 and 50,000. Second, the share of production expense in total expense is very sensitive to the business cycle. Its share increases significantly during both expansionary and inflationary periods. News-editorial expense as a percentage of total expense, on the other hand, holds steady during all phases of the business cycle. The share of circulation expense in total expense also varies with the business cycle. This percentage falls during expansions for all sized newspapers and falls during inflationary periods for newspapers with circulation greater than 10,000. Finally, the share of advertising expense in total expense rises during inflationary periods for newspapers with circulation less than 50,000.

Cost By Department as a Percentage of Total Revenue

Analyzing each category of expense as a percentage of total newspaper revenue shows whether, as newspaper revenues rise and fall, each category of cost rises or falls proportionately. Figures 6-9 present the yearly averages of four variables: production expense, news-editorial expense, circulation expense and advertising expense.

Figure 6 shows that for Group 1, production expense averaged 26.3% with a minimum yearly mean of 25.1% in 1984 and a maximum of 27.8% in 1980. For newspapers in Group 2, the minimum yearly mean of production cost was 23.4% in 1990, the maximum yearly value was 27.4% in 1981 and the overall mean during these years was 26%. Papers in Group 3 averaged 26.2% with a yearly minimum of 23% in 1990 and a yearly maximum of 28.1% in 1980 and 1981. Group 4 papers averaged 28% over the 13 year period with a yearly minimum of 24.1% in 1986 and a yearly maximum of 31.3% in 1978.

Figure 7 shows that for Group 1, news-editorial expense averaged 14.1% with a minimum yearly mean of 13.5% in 1978 and a maximum of 14.9% in 1990. For newspapers in Group 2, the minimum yearly mean news-editorial cost was 11.7% in 1979, the maximum yearly value was 13.3% in 1989 and the overall mean during these years was 12.5%. Papers in Group 3 averaged 11.8% with a yearly minimum of 10.6% in 1990 and a yearly maximum of 13.1% in 1989. Group 4 papers averaged 11.8% over the 13 year period with a yearly minimum of 11.1% in 1985 and a yearly maximum of 12.6% in 1978.

Figure 8 shows that for Group 1, circulation expense averaged 9.8% with a minimum yearly mean of 8.1% in 1987 and a maximum of 11.1% in 1982. For newspapers in Group 2, the minimum yearly mean circulation cost was 7.7% in 1990, the maximum yearly value was 10.5% in 1985 and the overall mean during these years was 9.5%. Papers in Group 3 averaged 9.4% percent with a yearly minimum of 6.7% in 1990 and a yearly maximum of 10.6% in 1980. Group 4 papers averaged 11% over the 13 year period with a yearly minimum of 8.6% in 1987 and a yearly maximum of 12.7% in 1982. Note the drop in the percentage that occurred in 1986 for all groups of newspapers.

Figure 9 shows that for Group 1, advertising expense averaged 10.1% with a minimum yearly mean of 9.4% in 1978 and a maximum of 11% in 1990. For newspapers in Group 2, the minimum yearly mean advertising cost was 8.4% in 1979, the maximum yearly value was 9.2% in 1990 and the overall mean during these years was 8.7%. Papers in Group 3 averaged 7.5% with a yearly minimum of 7% in 1986 and a yearly maximum of 8% in 1989. Group 4 papers averaged 6.9% over the 13 year period with a yearly minimum of 6.3% in 1986 and a yearly maximum of 8.6% in 1990.

Tables 6-9 present the time series analysis of each of these four variables. These results show that there is some change in these percentages over time. For all sizes of newspapers, circulation expense as a percentage of newspaper revenue has fallen over time. For newspapers with circulation less than 25,000, news-editorial expense as a percentage of newspaper revenue has increased over time. Finally, production expense as a percentage of newspaper revenue has not changed over time.

The business cycle also has an effect on each category of expense as a percentage of newspaper revenue. As might be expected, production expense as a percentage of revenue increases significantly during inflationary periods, and for larger newspapers (circulation greater than 25,000) this percentage also increases during expansionary periods. Circulation expense as a percentage of newspaper revenue declines during expansionary periods and for newspapers with circulation between 10,000 and 50,000, it also declines during inflationary periods. News-editorial expense as a percentage of newspaper revenue is affected by business cycles in so far as it declines during economic upturns for newspapers less than 25,000 circulation. Finally, advertising expense as a percent of revenue increases for newspapers of all sizes during inflationary periods.

Advertising and Circulation Revenue as a Percentage of Total Newspaper Revenue

Figures 10 and 11 present yearly averages of advertising revenue as a percentage of total newspaper revenue and circulation revenue as a percentage of total newspaper revenue for each group of newspapers.

Figure 10 shows that for Group 1, advertising revenue averaged 75.4% with a minimum yearly mean of 73.1% in 1989 and 1990 and a maximum of 78% in 1979. For newspapers in Group 2, the minimum yearly mean advertising revenue was 76.2% in 1987, the maximum yearly value was 77.8% in 1979 and the overall mean during these years was 76.9%. Papers in Group 3 averaged 77% with a yearly minimum of 76.1% in 1989 and a yearly maximum of 78.3% in 1979. Group 4 papers averaged 77.2% over the 13 year period with a yearly minimum of 74.8% in 1982 and a yearly maximum of 79.1% in 1988.

Figure 11 shows that for Group 1, circulation revenue averaged 22.6% with a minimum yearly mean of 20.4% in 1979 and a maximum of 25.6% in 1990. For newspapers in Group 2, the minimum yearly mean circulation revenue was 20.9% in 1979, the maximum yearly value was 22.3% in 1986 and the overall mean during these years was 21.6%. Papers in Group 3 averaged 22% with a yearly minimum of 21% in 1979 and a yearly maximum of 22.7% in 1982. Group 4 papers averaged 22% over the 13 year period with a yearly minimum of 20.1% in 1988 and a yearly maximum of 24.1% in 1978.

Tables 10 and 11 present the time series analyses of advertising revenue as a percentage of total newspaper revenue and circulation revenue as a percent of total newspaper revenue, respectively. Only for Group 4 do these percentages show significant variation with the business cycle. While the signs on the coefficients of CU show advertising revenue becoming a greater percentage of total revenue during economic upturns and a smaller percentage during economic downturns, and circulation revenue becoming a smaller (greater) percentage of total revenue during economic upturns (downturns), these coefficients are only significantly different from zero for newspapers with circulation between 50,000 and 100,000. In addition, the percentages do not change significantly with inflation. There is, however, a strong trend toward a greater share of revenues from circulation and a smaller share of revenues from advertising for the smallest newspapers (circulation less than 10,000).

Advertising Revenue by Type of Advertisement as a Percentage of Total Advertising Revenue

Figures 12-15 present yearly averages of four revenue variables over time as a percentage of total advertising revenue: retail, national, classified and preprint.

Figure 12 shows that for Group 1, retail revenue averaged 64.8% with a minimum yearly mean of 60.1% in 1989 and a maximum of 69% in 1978. For newspapers in Group 2, the minimum yearly mean retail revenue was 48.8% in 1990, the maximum yearly value was 63.8% in 1980 and the overall mean during these years was 59.9%. Papers in Group 3 averaged 55.6% with a yearly minimum of 43.6% in 1990 and a yearly maximum of 60.6% in 1978. Group 4 papers averaged 51.5% over the 13 year period with a yearly minimum of 45.8% in 1988 and a yearly maximum of 56% in 1982.

Figure 13 shows that for Group 1, national revenue averaged 3.7% with a minimum yearly mean of 2.8% in 1990 and a maximum of 4.6% in 1984. For newspapers in Group 2, the minimum yearly mean national revenue was 2.3% in 1990, the maximum yearly value was 6.2% in 1981 and the overall mean during these years was 4.3%. Papers in Group 3 averaged 4.9% with a yearly minimum of 2.6% in 1990 and a yearly maximum of 6.6% in 1981. Group 4 papers averaged 5.8% over the 13 year period with a yearly minimum of

3.2% in 1989 and a yearly maximum of 8.1% in 1982.

Figure 14 shows that for Group 1, classified revenue averaged 18.3% with a minimum yearly mean of 16.3% in 1982 and a maximum of 20.6% in 1989. For newspapers in Group 2, the minimum yearly mean classified revenue was 17.9% in 1982, the maximum yearly value was 26.4% in 1989 and the overall mean during these years was 21.7%. Papers in Group 3 averaged 24.6% with a yearly minimum of 20.7% in 1982 and a yearly maximum of 29.3% in 1989. Group 4 papers averaged 29.7% over the 13 year period with a yearly minimum of 23.6% in 1982 and a yearly maximum of 33.9% in 1989. Figure 15 shows that for Group 1, preprint advertising revenue averaged 9.7% with a minimum yearly mean of 7.3% in 1978 and a maximum of 12% in 1990. For newspapers in Group 2, the minimum yearly mean preprint revenue was 9% in 1978, the maximum yearly value was 13.6% in 1989 and the overall mean during these years was 11.2%. Papers in Group 3 averaged 12.4% with a yearly minimum of 9.4% in 1979 and a yearly maximum of 15.3% in 1989. Group 4 papers averaged 12.2% over the 13 year period with a yearly minimum of 8.9% in 1979 and a yearly maximum of 16.8% in 1990.

Tables 12 through 15 present a time series analysis of each of these four advertising sources as a percentage of total advertising revenue. During economic expansions, classified revenue becomes a larger percentage of total advertising revenue while retail and national advertising revenue become a smaller percentage of total advertising revenue. An increase in inflation is also accompanied by an increase in the percentage of national advertising for newspapers of size greater than 10,000 but a decline in the percent for newspapers of size less than 10,000. In addition, the percentage of classified revenue falls during inflationary periods for newspapers of size 10,000 to 50,000 and the percentage of preprint revenue falls during inflationary periods for the smallest newspapers (Group 1) and for those newspapers sized 25,000 to 50,000 in circulation.

Over time the share of each source of advertising in total advertising revenue has changed significantly for all newspapers. Retail advertising as a percentage of total advertising and national advertising as a percentage of total advertising revenue have fallen significantly while the share of classified and preprint advertising has increased significantly.

Advertising Revenue Per Inch by Advertising Source

Figures 16-19 present yearly averages of real advertising per inch for four sources of advertising revenue: retail, national, classified and legal.

Figure 16 shows that for Group 1, real retail advertising revenue per inch averaged $2.71 with a minimum yearly mean of $2.14 in 1980 and a maximum of $3.21 in 1989 and 1990. For newspapers in Group 2, the minimum yearly real retail advertising revenue per inch was $2.86 in 1980, the maximum yearly value was $4.89 in 1989 and the overall mean during these years was $3.85. Papers in Group 3 averaged $5.83 with a yearly minimum of $4.48 in 1979 and a yearly maximum of $7.31 in 1989. Group 4 papers averaged $9.75 over the 13 year period with a yearly minimum of $6.89 in 1979 and a yearly maximum of $13.05 in 1987.

Figure 17 shows that for Group 1, real national advertising revenue per inch averaged $3.28 with a minimum yearly mean of $2.57 in 1981 and a maximum of $4.30 in 1989. For newspapers in Group 2, the minimum yearly national advertising revenue per inch was $3.43 in 1981, the maximum yearly value was $5.87 in 1987 and 1990 and the overall mean during these years was $4.70. Papers in Group 3 averaged $7.96 with a yearly minimum of $5.90 in 1980 and a yearly maximum of $10.57 in 1989. Group 4 papers averaged $13.63 over the 13 year period with a yearly minimum of $9.20 in 1979 and a yearly maximum of $18.71 in 1987.

Figure 18 shows that for Group 1, real classified advertising revenue per inch averaged $2.42 with a minimum yearly mean of $1.93 in 1983 and a maximum of $2.95 in 1989. For newspapers in Group 2, the minimum yearly mean real classified advertising revenue per inch was $2.97 in 1980, the maximum yearly value was $5.25 in 1989 and the overall mean during these years was $3.99. Papers in Group 3 averaged $6.03 with a yearly minimum of $4.59 in 1980 and a yearly maximum of $7.82 in 1987. Group 4 papers averaged $10.84 over the 13 year period with a yearly minimum of $7.58 in 1979 and a yearly maximum of $14.99 in 1987.

Figure 19 shows that for Group 1, real legal advertising revenue per inch averaged $3.15 with a minimum yearly mean of $2.49 in 1984 and a maximum of $3.86 in 1989. For newspapers in Group 2, the minimum yearly mean real legal advertising revenue per inch was $3.26 in 1981, the maximum yearly value was $5.47 in 1988 and the overall mean during these years was $4.18. Papers in Group 3 averaged $5.73 with a yearly minimum of $4.29 in 1980 and a yearly maximum of $7.31 in 1987. Group 4 papers averaged $7.65 over the 13 year period with a yearly minimum of $5.50 in 1980 and a yearly maximum of $11.08 in 1989.

Tables 16-19 present the time series analysis for each of these four variables. Results show that economic fluctuations have little influence on the real advertising per inch. Only the advertising per inch of newspapers of size 10,000 to 25,000 and 50,000 to 100,000 vary with the business cycle. In economic expansions, the real national and legal revenue per inch rises for newspapers sized between 10,000 and 25,000, but during inflationary periods the real revenues per inch of all types fall. This last result implies that the revenue per inch does not keep pace with inflation for newspapers between 10,000 and 25,000 circulation. For newspapers with circulation between 50,000 and 100,000, real retail and national advertising per inch falls during expansionary periods and real national advertising per inch falls during inflationary periods. Over time the real advertising revenue per inch for all types has significantly increased for all groups of newspapers.

Number of Pages Published

Figure 20 shows yearly averages of the number of ROP pages issued for each newspaper group. For Group 1, the number of ROP pages issued averaged 4,995 with a minimum yearly mean of 4,768 in 1981 and a maximum of 5,505 in 1989. For newspapers in Group 2, the minimum yearly mean ROP pages issued was 8,437 in 1978, the maximum yearly value was 9,728 in 1989 and the overall mean during these years was 9,037. Papers in Group 3 averaged 13,772 with a yearly minimum of 12,535 in 1978 and a yearly maximum of 15,174 in 1986. Group 4 papers averaged 19,798 over the 13 year period with a yearly minimum of 16,472 in 1982 and a yearly maximum of 24,504 in 1985.

Table 20 presents the results of the time series analysis for ROP pages issued. The number of ROP pages issued increases for all size newspapers in expansionary periods, although this increase is significant at only the .20 level for newspapers sized between 25,000 and 50,000 circulation. In addition, during inflationary periods there is some tendency for the number of ROP pages issued to fall. Finally, for newspapers with less than 25,000 circulation the number of ROP pages issued has been increasing over time.

Percentage of Space Devoted to Advertisements

Figure 21 shows yearly averages for the percentage of total ROP space devoted to advertising for each size group. For Group 1, the percentage averaged 38.6% with a minimum yearly mean of 32% in 1990 and a maximum of 43% in 1978. For newspapers in Group 2, the minimum yearly mean was 38.4% in 1990, the maximum yearly value was 49.2% in 1978 and the overall mean during these years was 44.6%. Papers in Group 3 averaged 48.2% with a yearly minimum of 42.8% in 1990 and a yearly maximum of 53.5% in 1980. Group 4 papers averaged 48.7% over the 13 year period with a yearly minimum of 41.2% in 1990 and a yearly maximum of 54.6% in 1979.

Table 21 gives the time series results of the percentage of total ROP space devoted to advertising. Economic fluctuations have little effect on the percentage of total ROP space devoted to advertising for newspapers with circulation less than 50,000. On the other hand for newspapers with circulation between 50,000 and 100,000, advertising as a percent of total ROP space increases during expansionary times and decreases during inflationary times. Finally, advertising as a percent of total ROP space is decreasing over time for all sizes of newspapers.

Number of Employees for News/Editorial and Advertising

Figures 22 and 23 give the yearly averages for the number of full-time news-editorial employees and the number of full-time advertising employees, respectively. Figure 22 shows that for Group 1, the number of full-time news-editorial employees averaged 7.3 with a minimum yearly mean of 6.9 in 1978 and a maximum of 8 in 1984, 1986 and 1989. For newspapers in Group 2, the minimum yearly mean number of news-editorial employees was 14.8 in 1978, the maximum yearly number was 19.7 in 1989 and the overall mean during these years was 17.2. Papers in Group 3 averaged 35.4 with a yearly minimum of 29.8 in 1978 and a yearly maximum of 40.6 in 1987. Group 4 papers averaged 73.3 over the 13 year period with a yearly minimum of 64.7 in 1981 and a yearly maximum of 80.3 in 1989.

Figure 23 shows that for Group 1, the number of full-time advertising employees averaged 6.04 with a minimum yearly mean of 5.57 in 1978 and a maximum of 7 in 1989. For newspapers in Group 2, the minimum yearly mean number of full-time advertising employees was 12.11 in 1978, the maximum yearly value was 16 in 1989 and the overall mean during these years was 13.9. Papers in Group 3 averaged 26.8 with a yearly minimum of 24.8 in 1978 and a yearly maximum of 30 in 1987. Group 4 papers averaged 49.1 over the 13 year period with a yearly minimum of 44 in 1981 and a yearly maximum of 56 in 1989.

Tables 22 and 23 show the time series results for each of these variables. There is very little effect of economic fluctuations on the number of employees. The largest newspapers do show increases in both the number of full-time news-editorial employees and the number of full-time advertising employees during expansionary periods. For all sizes of newspapers, there has been an increase over time in the number of full-time advertising employees, although this increase is significant only at the .15 level for the smallest newspapers. In addition, newspapers sized between 10,000 and 50,000 show an increase in the number of full-time news-editorial employees over time.

DISCUSSION

Newspaper profit margins most affected by the business cycle are those in Groups 1 and 2, those with circulation of less than 25,000. These newspapers do not appear to decrease expenses during economic downturns in proportion to the fall in revenues. This is shown by the percentage of costs becoming greater during contractionary periods and smaller during expansionary periods.

Research Question 1: How do costs in various departments in newspapers in different circulation sizes vary with the business cycle? Results of this study found variations in each of the four departments - News/editorial, advertising, production, and circulation - depending upon the circulation of the newspaper.

News/editorial department expense as a percent of total newspaper expense has become greater for newspapers in Groups 2 and 3, (circulations from 10,000 to 50,000) over time.

Advertising costs increase for all circulations groups more than proportionately with newspaper revenue during inflation. However, when looking at advertising as a percentage of total expense during inflation, this applies only to newspapers in Groups 1, 2 and 3, or for newspapers of circulations of less than 50,000. This means advertising costs are increasing faster than both revenues and total expenses during inflationary periods for newspapers with circulation less than 50,000.

Circulation costs as a percentage of both total expense and total revenue have fallen over time for all newspapers. Circulation expense as a percent of total expense falls during expansionary times for all sizes of newspapers and during inflation for newspapers greater than 10,000. Circulation costs as a percent of newspaper revenue declines during expansionary times and declines for newspapers in Groups 2 and 3, (circulations between 10,000 and 50,000) during inflation. This means circulation expenses are not rising as quickly as total expenses and revenues during inflation and economic expansion for newspapers between 10,000 and 50,000 circulation.

Production costs appear to be most affected by inflation for all newspapers. During inflationary periods production expenses rise faster than both revenues and total expenses for all sizes of newspapers. Production expenses also rise faster than revenues during economic expansions for Groups 3 and 4 and they increase faster than total expense during economic expansion for all groups. Controlling for economic fluctuations, production expense has increased at the same rate as total expense and revenue over time.

Research Question 2: How do revenues from advertising and circulation fluctuate during

business cycles and do such fluctuations vary by circulation size?

Over time, newspapers with circulation of less than 10,000 show a strong trend for a greater share of revenue coming from circulation. For newspapers in Group 4 (50,000 to 100,000), the share of advertising and circulation revenue in total revenue change according to the business cycle. Advertising revenue becomes a greater percentage of total revenue during expansions for these newspapers.

Another trend is that over time, real revenue per inch for all types of advertising has significantly increased. Real revenue per inch has not changed with the business cycle except that real revenue per inch does not keep pace with inflation for newspapers between 10,000 and 25,000 circulation.

The distribution of advertising revenue is affected by the business cycle. During expansions, classified advertisements become a larger percentage of total advertising revenue while retail and national advertising become a smaller percentage. Retail advertising as a percentage of total advertising revenue and national advertising as a percentage of the total have fallen significantly over time while classified and preprint advertising as a percentage of total advertising revenue have increased over time. Advertising as a percentage of ROP space is decreasing over time for all newspapers.

Research Question 3: Do newspapers adjust to the business cycle by changing the number of pages, number of employees and size of newshole?

Results of this study show mixed support for the assumption that newspapers can change pages, employees and newshole space during economic fluctuations.

The number of pages published increases for all newspapers in expansionary times and decreases during recessionary times. In addition, the number of pages has been increasing over time for newspapers with circulations of less than 25,000, adjusting for economic fluctuations.

The percentage of space devoted to advertising on newspapers with circulation of less than 50,000 shows little fluctuation with the business cycle. But for Group 4, (50,000 to 100,000), advertising as a percent of total space increases during expansionary times and decreases during inflationary times.

Advertising as a percent of total space is decreasing over time for all newspapers in this study.

There is very little effect of economic fluctuations on the number of employees for newspapers with circulation less than 50,000. All sizes of newspapers show an increase over time in the number of full-time advertising employees, and newspapers in Groups 2 and 3 (10,000 to 50,000) show an increase in the number of full-time news-editorial employees over time. The largest newspapers do show increases in news/editorial employees and advertising employees during expansionary times.

CONCLUSIONS

1. Newspapers with less than 25,000 circulation are the least responsive to economic cycles in so far as their profit margins significantly fall during recessionary times. Smaller newspapers are not able to reduce either news/editorial or circulation expenses in proportion to reductions in revenues. Larger newspapers do decrease news/editorial, advertising and production expenses at least in proportion to revenues. Newspapers with circulation less than 10,000 also become significantly more reliant on circulation money in hard times.

2. Newspapers of less than 10,000 circulation are becoming less profitable. (Profit margins are falling over time for the newspapers with circulation of less than 10,000.)

3. Advertising costs keep going up, above the rate of inflation, for all size newspapers.

4. Circulation costs for all sizes of newspapers, as a percentage of total newspaper expense, has decreased over time. Advertising expense has become a larger percentage of total expense. News/editorial expenses as a percentage of total expenses have increased for newspaper between 10,000 and 50,000 circulation. However, the share of production expense in total expense has remained constant over time adjusting for changes in the business cycle.

5. Production and advertising expenses appear to be most affected by inflation. Both increase more than proportionately with newspaper revenue during inflation.

6. The number of pages issued increases during expansionary periods for all newspapers, but the size of the newshole increases during expansionary periods only for newspapers with circulation greater than 50,000.

While newspapers are a profitable industry more attention, especially by smaller newspapers, to inflation and the business cycle would allow more rapid adjustment to keep pace with such changes.

ENDNOTES

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13. Stone, Gerald C., "Validation of Economic Surveys in the Community Newspaper Field," Journalism Quarterly, Vol. 53, Summer, 1976, pp. 312-315, and p. 381.

14. VanDer Ploeg, Frederick, Mathematical Methods in Economics, John Wiley & Sons, New York, 1984.

15. These groupings are slightly different than those used in Tharp and Stanley (1992) in so far as the previous Group 2 (10,000 to 14,999) and Group 3 (15,000 to 24,999) are combined in this study into one group. This combination was done on the basis of statistical tests which showed no significant differences between the regression equations of the two groups. Statistical tests did, however, show significant differences between most regression equations for the remaining groups.

16. Since this paper mainly concerns qualitative relationships, we did not calculate beta weights to compare importance of variables across groups.

17. T-statistics are presented in parentheses below each estimated coefficient.

Table 1

Newspaper Cost as a Percent of Newspaper Revenue[a]

Variable	Group			
	1	2	3	4
CU	-.003* (-2.56)	-.0027* (-2.65)	-.001 (-.85)	-.003* (-1.68)
INF	.002 (.63)	-.0010 (-.453)	.003 (.96)	.012* (2.94)
TIME	.005* (2.67)	-.0013 (-.925)	-.0005 (-.23)	-.0014 (-.549)
SIZE	-.000006* (-2.53)	-.000006* (-8.28)	-.00000008 (-.09)	.000001* (2.46)
C	1.2 (11.7)	1.12 (14.72)	.91 (6.62)	.94 (6.39)
R^2	.30	.39	.05	.48
number of observations	75	130	78	46

a: t-statistics are in parentheses
*: denotes significance at $\rho < .10$

Table 2

Production Expense as a Percentage of Total Expense

	1	2	3	4
CU	.00138* (2.77)	.0014* (3.00)	.0019* (3.88)	.0033* (3.64)
INF	.00295* (2.72)	.0038* (3.99)	.0040* (3.92)	.0025 (1.24)
TIME	-.000515 (-.739)	-.000014 (-.022)	-.00046 (-.702)	-.00028 (-.215)
SIZE	.00000017 (.195)	.0000016* (4.84)	.000000027 (1.12)	.00000015 (.346)
C	.155 (3.93)	.149 (4.19)	.144 (3.73)	.049 (.665)
R^2	.42	.43	.56	.39

*: denotes significance at $\rho < .10$

Table 3

News-Editorial Expense as a Percent of Total Newspaper Expense

Variable	Group			
	1	2	3	4
CU	-.0001 (-.32)	-.000014 (-.056)	.00016 (.600)	.00045 (.998)
INF	-.0002 (-.351)	.00037 (.686)	-.00042 (-.767)	-.0003 (-.304)
TIME	-.000003 (-.726)	.0016* (4.51)	.00086* (2.44)	-.00014 (-.227)
SIZE	-.0000014* (-2.50)	-.0000004* (-2.15)	-.00000037* (-2.95)	-.000000038 (-.389)
C	.169 (6.90)	.142 (7.16)	.142 (6.90)	.113 (3.17)
R^2	.09	.28	.32	.03

*: denotes significance at $\rho < .10$

Table 4

Circulation Expense as a Percentage of Total Expense

Variable	Group			
	1	2	3	4
CU	-.0016*	-.0017*	-.0015*	-.0025*
	(-3.84)	(-4.75)	(-3.90)	(-4.14)
INF	-.0004	-.0023*	-.0023*	-.0011*
	(-.469)	(-3.15)	(-2.77)	(-8.30)
TIME	-.0019*	-.0032*	-.0032*	-.0026*
	(-3.31)	(-6.48)	(-6.11)	(-3.05)
SIZE	.0000015*	.0000006*	.00000083*	.00000023*
	(2.09)	(2.50)	(4.40)	(1.70)
C	.241	.269	.246	.348
	(7.26)	(9.99)	(8.02)	(7.15)
R^2	.38	.44	.49	

*: denotes significance at $\rho < .10$

Table 5

Advertising Expense as a Percent of Total Newspaper Expense

Variable	Group			
	1	2	3	4
CU	.00016	.00009	.00041**	.00020
	(.612)	(.427)	(1.60)	(.570)
INF	.0012*	.00075*	.00088**	.00021
	(2.12)	(1.64)	(1.62)	(.262)
TIME	.0009*	.0010*	.0011*	.00137*
	(2.49)	(3.47)	(3.06)	(2.72)
SIZE	.00000039*	-.0000003*	-.0000000079*	-.00000030*
	(.858)	(-2.02)	(-.625)	(-3.87)
C	.0799	.089	.050	.078
	(3.90)	(5.32)	(2.45)	(2.76)
R^2	.11	.14	.18	.44

*: denotes significance at $\rho < .10$
**: denotes significance at $\rho < .15$

Table 6

Production Expenses as a Percentage of Total Newspaper Revenue

Variable	Group 1	 2	 3	 4
CU	.00032 (.536)	.0003 (.634)	.001** (1.56)	.0017* (2.00)
INF	.0033* (2.57)	.0030* (2.97)	.004* (3.23)	.0060* (3.20)
TIME	0.0009 (1.10)	-.0003 (-.520)	-.0005 (-.59)	-.0009 (-.760)
SIZE	-.000002 (-1.41)	-.0000006* (-1.67)	.0000002 (.587)	.0000005* (2.50)
C	.223 (4.70)	.23 (6.16)	.152 (2.96)	.084 (1.24)
R^2	.16	.25	.40	.59

*: denotes significance at $\rho < .10$

**: denotes significance at $\rho < .15$

Table 7

News-Editorial Expense as a Percentage of Total Newspaper Revenue

Variable	Group 1	 2	 3	 4
CU	-.0006* (-1.85)	-.00042** (-1.52)	-.00008 (-.24)	.00008 (-.143)
INF	.00006 (.078)	.00013 (.218)	.0002 (.23)	.0015 (1.26)
TIME	.0007** (1.61)	.0011* (2.92)	.0006 (1.33)	-.0004 (-.468)
SIZE	-.0000002* (-3.73)	-.0000013* (-6.26)	-.0000003* (-1.87)	.00000012 (1.04)
C	.200 (7.7)	.17 (8.07)	.129 (4.66)	.11 (2.56)
R^2	.28	.33	.09	.18

*: denotes significance at $\rho < .10$
**: denotes significance at $\rho < .15$

Table 8

Circulation-Distribution Expense as a Percent of Total Newspaper Revenue

Variable	Group 1	Group 2	Group 3	Group 4
CU	-.002* (-4.51)	-.0017* (-5.30)	-.0014* (-3.90)	-.0025* (-4.70)
INF	-.0003 (-.302)	-.0020* (-2.92)	-.0012** (-1.55)	.00091 (.77)
TIME	-.0013* (-2.29)	-.0028* (-6.08)	-.0025* (-5.04)	-.0022* (2.96)
SIZE	.0000008 (1.09)	-.0000002 (-.81)	.0000006* (3.57)	.0000003* (2.79)
C	.257 (7.74)	.268 (10.62)	.212 (3.34)	.300 (7.11)
R^2	.33	.43	.51	.61

*: denotes significance at $\rho < .10$
**: denotes significance at $\rho < .15$

Table 9

Advertising Expense as a Percent of Total Newspaper Revenue

Variable	Group 1	Group 2	Group 3	Group 4
CU	-.0002 (-.90)	-.00019 (-1.03)	.0002 (.77)	-.00012 (-.36)
INF	.0013* (2.38)	.00047 (1.21)	.001* (1.81)	.0012* (1.63)
TIME	.0014* (3.92)	.00069* (2.64)	.0008* (2.25)	.00099* (2.13)
SIZE	-.0000003 (-.62)	-.0000009* (-6.65)	-.00000007 (-.53)	-.00000016* (-2.20)
C	.105 (5.27)	.11 (7.63)	.0504 (2.51)	.076 (2.90)
R^2	.20	.29	.09	.20

*: denotes significance at $\rho < .10$

Table 10

Advertising Revenue as a Percent of Total Newspaper Revenue

Variable	Group			
	1	2	3	4
CU	.0009 (1.25)	.00025 (.406)	.0005 (.732)	.0018* (1.82)
INF	-.0018 (-1.09)	.0015 (1.15)	-.00076 (-.571)	-.0024 (1.08)
TIME	-.0042* (-3.98)	.00046 (.53)	-.0013** (-1.55)	.0020 (1.39)
SIZE	-.0000004* (-3.29)	.0000019* (4.18)	.000001* (4.28)	-.0000009 (-.408)
C	.719 (11.96)	.707 (14.91)	.703 (14.08)	.629 (7.91)
R^2	.30	.14	.23	.30

*: denotes significance at $\rho < .10$
**: denotes significance at $\rho < .15$

Table 11

Circulation Revenue as a Percent of Total Newspaper Revenue

Variable	Group			
	1	2	3	4
CU	-.0005 (-.76)	-.0002 (-.360)	-.0006 (-1.04)	-.0017* (1.67)
INF	.0023 (1.51)	-.0012 (-1.02)	.0009 (.709)	.0022 (.99)
TIME	.0037* (3.76)	-.0003 (-.38)	.0012 (1.49)	-.0019 (-1.34)
SIZE	.0000001 (.089)	-.0000008* (-2.10)	-.000001* (-3.81)	.00000015 (.709)
C	.23 (4.16)	.254 (6.07)	.297 (6.15)	.345 (4.34)
R^2	.23	.05	.20	.28

*: denotes significance $\rho < .10$

Table 12

Retail Advertising as a Percent of Total Advertising

Variable	Group			
	1	2	3	4
CU	-.0006 (-.55)	-.0039* (-4.20)	-.004* (-4.19)	-.0052* (-5.50)
INF	.0012 (.52)	-.00089 (-.45)	-.0024 (-1.22)	.0035* (1.68)
TIME	-.0070* (-4.68)	-.0099* (-7.55)	-.014* (-11.19)	-.0068* (-5.11)
SIZE	-.00001* (-6.48)	-.000004* (-5.41)	-.000002* (-4.75)	-.0000004* (-2.12)
C	.823 (9.76)	1.05 (14.52)	1.05 (14.54)	.99 (13.29)
R^2	.61	.6	.82	.79

*: denotes significance $\rho < .10$

Table 13

National Advertising as a Percentage of Total Advertising Revenue

Variable	Group			
	1	2	3	4
CU	-.0009* (-3.07)	-.0018* (-8.60)	-.0017* (-7.48)	-.0025* (-6.39)
INF	-.0014* (-2.04)	.0017* (3.71)	.0013* (2.72)	.0020* (2.27)
TIME	-.0011* (-2.59)	-.0018* (-3.71)	-.0021* (-2.72)	-.003* (-2.27)
SIZE	.0000002 (.458)	-.00000002 (-.124)	.0000008* (7.07)	.0000003* (3.96)
C	.127 (5.19)	-.194 (11.82)	.170 (9.38)	.251 (7.93)
R^2	.27	.69	.81	.82

*: denotes significance $\rho < .10$

Table 14

Classified Advertising as a Percentage of Total Advertising Revenue

Variable	Group 1	2	3	4
CU	.0027* (3.20)	.0045* (6.32)	.0045* (4.35)	.007* (5.19)
INF	-.0014 (-.75)	-.0035* (-2.30)	-.0048* (-2.21)	-.0047** (-1.58)
TIME	.0023* (1.91)	.0030* (2.95)	.0033* (2.33)	.0035* (1.82)
SIZE	.000012* (8.05)	.0000045* (8.43)	.000002* (4.34)	.00000007 (.22)
C	-.134 (-1.98)	-.226 (-4.05)	-.193 (-2.35)	-.280 (-2.59)
R^2	.55	.58	.53	.56

*: denotes significance $\rho < .10$
**: denotes significance at $\rho < .15$

Table 15

Preprint Advertising as a Percentage of Total Advertising Revenue

Variable	Group 1	2	3	4
CU	-.0003 (-.804)	.00013 (.411)	.00007 (.124)	-.0004 (-.56)
INF	-.0016* (-1.75)	-.0004 (-.52)	-.003* (-2.68)	-.0009 (-.565)
TIME	.0032* (5.41)	.0034* (7.34)	.0032* (4.37)	.0053* (5.02)
SIZE	.000002* (2.50)	.000001* (4.50)	-.00000008 (-.305)	.00000001 (-.078)
C	.099 (2.93)	061 (2.39)	.115 (2.66)	.125 (2.09)
R^2	.67	.61	.63	.69

*: denotes significance $\rho < .10$

Table 16

Real Retail Advertising Revenue Per Inch

	Group			
Variable	1	2	3	4
CU	-.015 (-1.21)	.024 (1.15)	-.014 (-.562)	-.147* (-2.48)
INF	.0005 (.019)	-.076* (-1.73)	-.040 (.745)	-.104 (-.795)
TIME	.095* (5.34)	.128* (4.41)	.244* (7.14)	.353* (4.20)
SIZE	.0001* (4.82)	.00013* (8.50)	.00012* (9.35)	.00009* (6.84)
C	2.53 (2.51)	-.65 (-.407)	1.58 (.790)	13.74 (2.91)
R^2	.6	.58	.78	.77

*: denotes significance $\rho < .10$

Table 17

Real National Advertising Revenue Per Inch

	Group			
Variable	1	2	3	4
CU	-.003 (-.133)	.054* (1.72)	.024 (.548)	-.157* (-1.75)
INF	-.023 (-.463)	-1.28* (-1.90)	-.029 (-.308)	-.368* (-1.86)
TIME	.110* (3.39)	.136* (3.04)	.414* (6.89)	.521* (4.11)
SIZE	.0002* (4.37)	.00019* (7.99)	.00016* (7.41)	.00012* (6.31)
C	1.63 (.88)	-3.03 (-1.22)	-2.25 (-.639)	16.22 (2.27)
R^2	.45	.5	.73	.80

*: denotes significance $\rho < .10$

Table 18

Classified Real Advertising Revenue Per Inch

Variable	Group			
	1	2	3	4
CU	.004	.033	-.010	-.078
	(.328)	(1.37)	(-.289)	(-.89)
INF	.007	-.064	-.033	-.046
	(.244)	(-1.25)	(-.436)	(-.238)
TIME	.074*	.146*	.258*	.538*
	(3.98)	(4.30)	(5.35)	(4.34)
SIZE	.0002	.00016	.00012	.00007
	(7.53)	(9.04)	(6.92)	(3.53)
C	.265	.57	.66	.66

*: denotes significance $\rho < .10$

Table 19

Real Legal Advertising Revenue Per Inch

Variable	Group			
	1	2	3	4
CU	-.003	.021*	.014	.016
	(-1.42)	(7.20)	(.331)	(.224)
INF	-.0009	-.089	-.021	-.011
	(-.019)	(-1.40)	(-.227)	(-.070)
TIME	.092*	.089*	.239*	.253*
	(3.34)	(2.12)	(4.14)	(2.43)
SIZE	.0002*	.0001*	.00004*	.00005*
	(4.35)	(4.86)	(1.73)	(2.98)
C	3.73	.549	1.78	1.33
	(2.39)	(.236)	(.526)	(.227)
R^2	.43	.31	.43	.41

*: denotes significance $\rho < .10$

Table 20

Number of ROP Pages Issued

Variable	Group 1	Group 2	Group 3	Group 4
CU	39.76* (3.68)	40.27* (3.15)	52.34** (1.34)	260.8* (2.07)
INF	-11.84 (-.504)	-50.75* (-1.88)	-137.8* (-1.67)	-471.7* (-1.70)
TIME	37.12* (2.46)	83.64* (4.67)	38.5 (.73)	197.18 (1.10)
SIZE	.407* (21.31)	.376* (39.80)	.301* (15.84)	.111* (4.03)
C	-1269.1 (-1.48)	-1241.9 (-1.25)	-193.3 (-.062)	-7912.1 (-.79)
R^2	.87	.93	.78	.51

*: denotes significance at $\rho < .10$

**: denotes significance at $\rho < .20$

Table 21

Advertising as a Percent of Total ROP Space

Variable	Group 1	Group 2	Group 3	Group 4
CU	.0009 (.009)	-.048 (-.66)	-.016 (-.198)	.241* (1.83)
INF	-3.52* (-1.71)	-.032 (-.21)	.043 (.256)	-.59* (-2.02)
TIME	-.881* (-6.67)	-.954* (-9.45)	-.871* (-8.12)	-1.14* (-6.07)
SIZE	.001* (6.94)	.00053* (9.92)	.0001* (2.87)	.0001* (3.53)
C	38.3 (5.12)	46.73 (8.34)	51.55 (8.20)	33.21 (3.15)
R^2	.66	.73	.73	.65

*: denotes significance $\rho < .10$

Table 22

Number of Full Time News-Editorial Employees

Variable	Group			
	1	2	3	4
CU	.018	.038	-.095	.400*
	(.754)	(.987)	(-1.03)	(1.62)
INF	-.071	.120	-.101	-.075
	(-1.31)	(1.46)	(-.518)	(-.137)
TIME	.033	.348*	.455*	.344
	(.949)	(6.37)	(3.67)	(.981)
SIZE	.0008*	.0011*	.001*	.0010*
	(17.74)	(37.00)	(25.29)	(18.12)
C	.478	-6.40	2.22	-29.2
	(.242)	(-2.11)	(.306)	(-1.48)
R^2	.82	.92	.90	.89

*: denotes significance at $\rho < .10$

Table 23

Number of Full-Time Advertising Employees

	1	2	3	4
CU	.009	.022	-.003	.380*
	(.35)	(.641)	(-.028)	(2.11)
INF	-.034	.134*	.269	.374
	(-.625)	(1.81)	(1.38)	(.937)
TIME	.054**	.271*	.298*	.589*
	(1.58)	(5.53)	(2.39)	(2.31)
SIZE	.0008*	.00089*	.0009*	.0005*
	(17.60)	(34.21)	(20.05)	(13.42)
C	-.190	-5.00	-6.98	-24.57
	(-.096)	(-1.83)	(-.95)	(-1.71)
R^2	.82	.91	.85	.83

*: denotes significance at $\rho < .10$

**: denotes significance at $\rho < .15$

Figure 1
Total Newspaper Expense as a Percentage
of Total Newspaper Revenue by Years

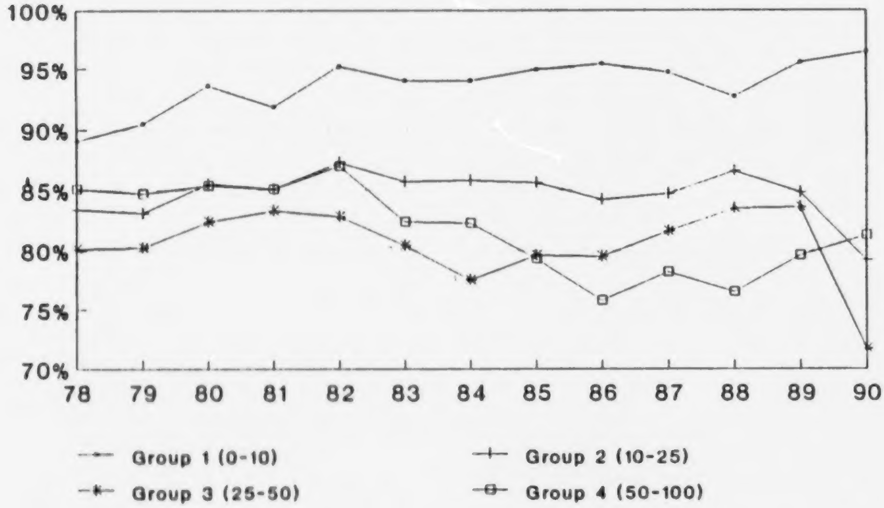


Figure 1a
Gross Profit As A Percentage of
Total Newspaper Revenue by Years

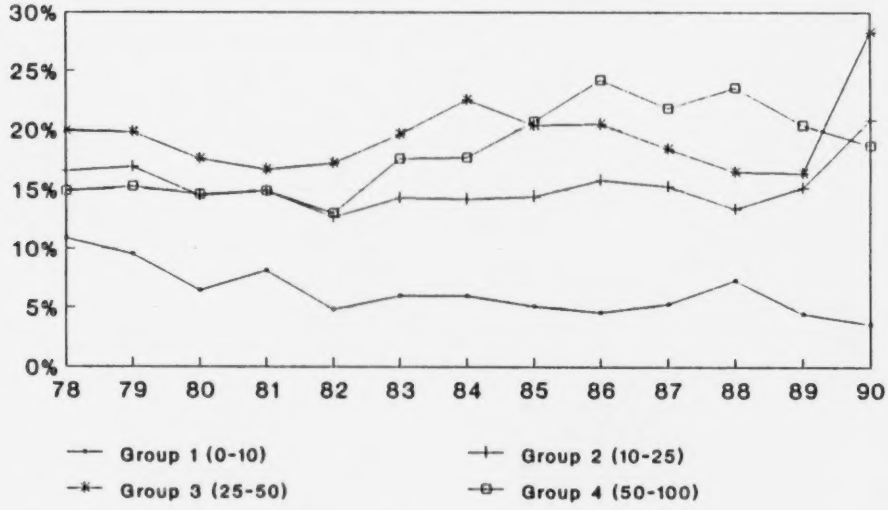


Figure 2
Production Expense as a Percent
of Total Newspaper Expense

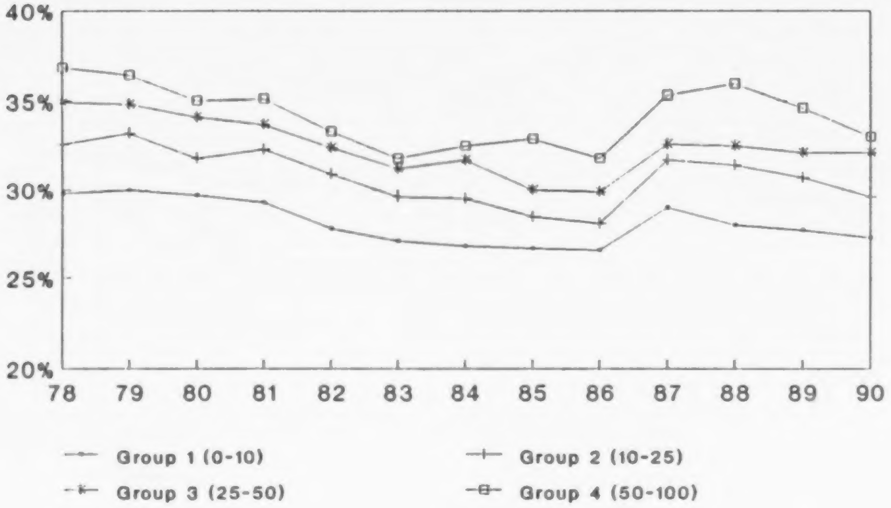


Figure 3
News-Editorial Expense as a Percent
of Total Newspaper Expense

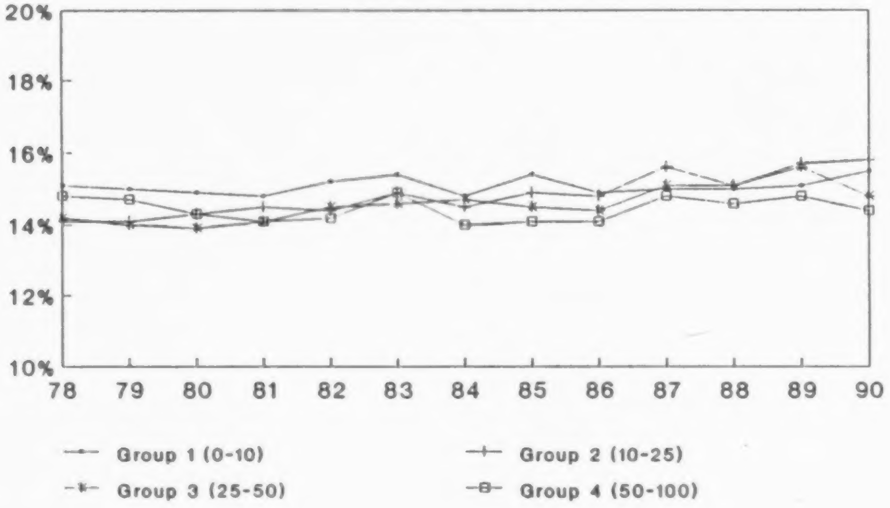


Figure 4
Circulation Expense as a Percent of Total Newspaper Expense

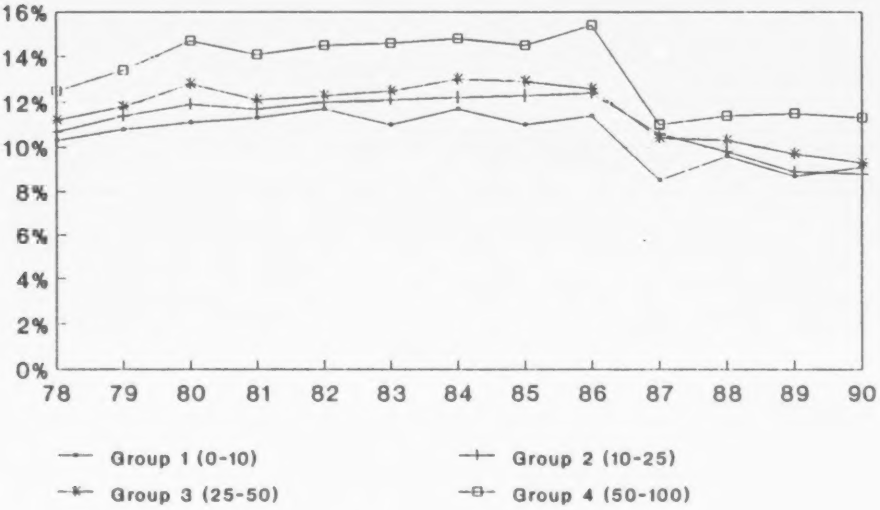


Figure 5
Advertising Expense as a Percent of Total Newspaper Expense

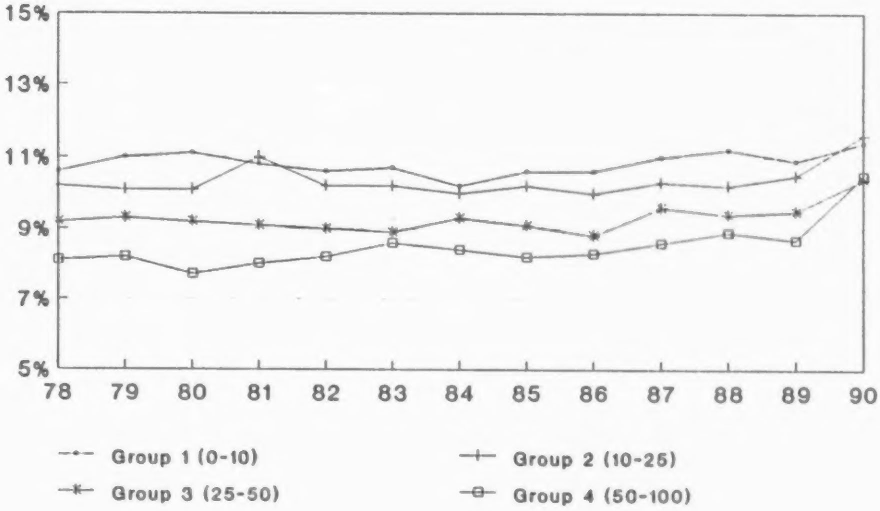


Figure 6
Production Expense as a Percent
of Total Newspaper Revenue By Years

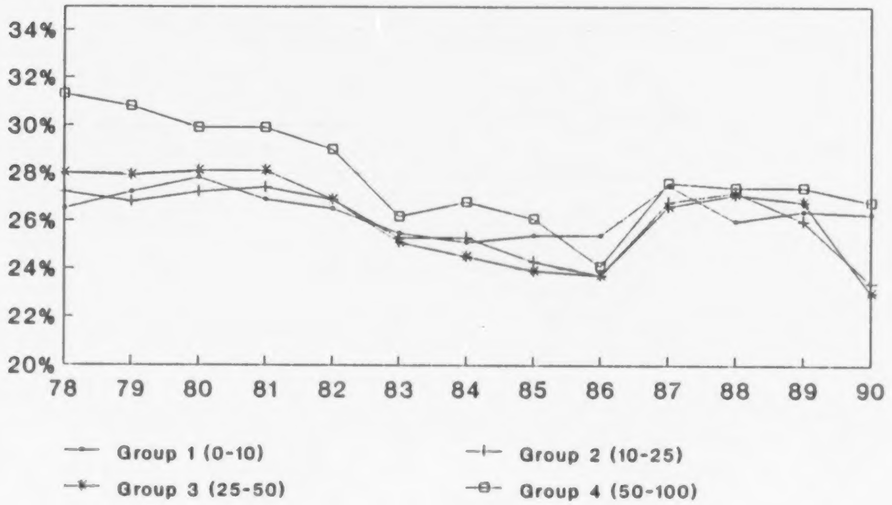


Figure 7
News-Editorial Expense as a Percent
of Total Newspaper Revenue By Years

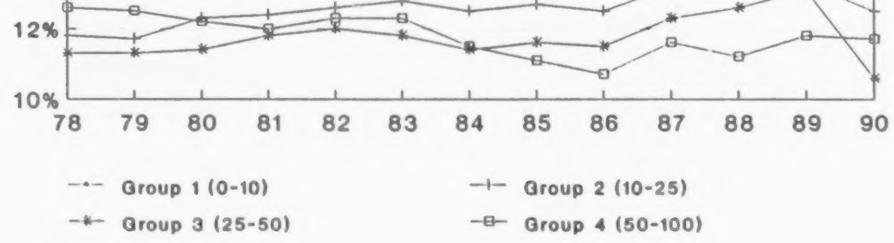


Figure 8
Circulation & Distribution Expense as a
Percent of Total Newspaper Revenue

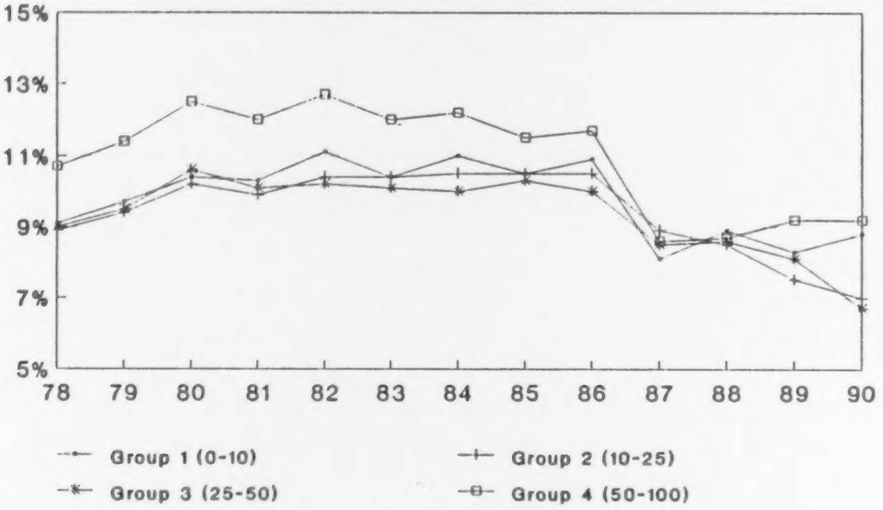


Figure 9
Advertising Expense as a Percent
of Total Newspaper Revenue

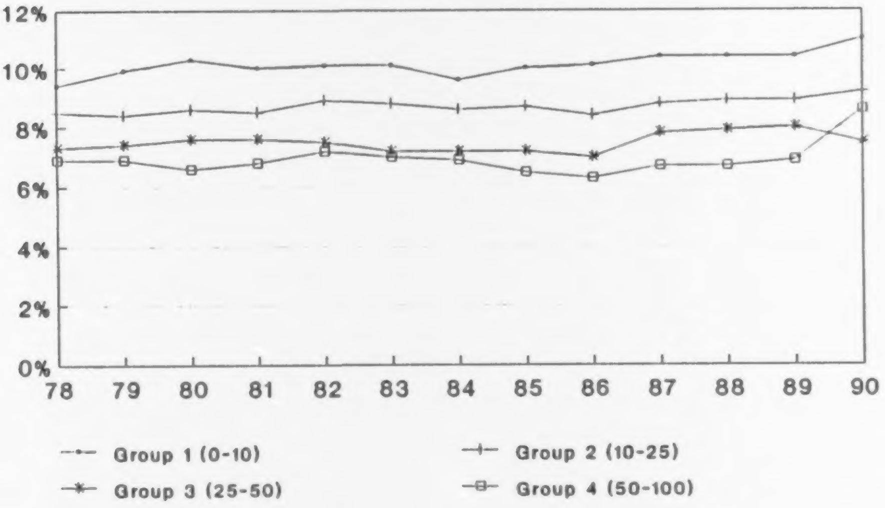


Figure 10
Advertising Revenue as a Percent of
Total Newspaper Revenue By Years

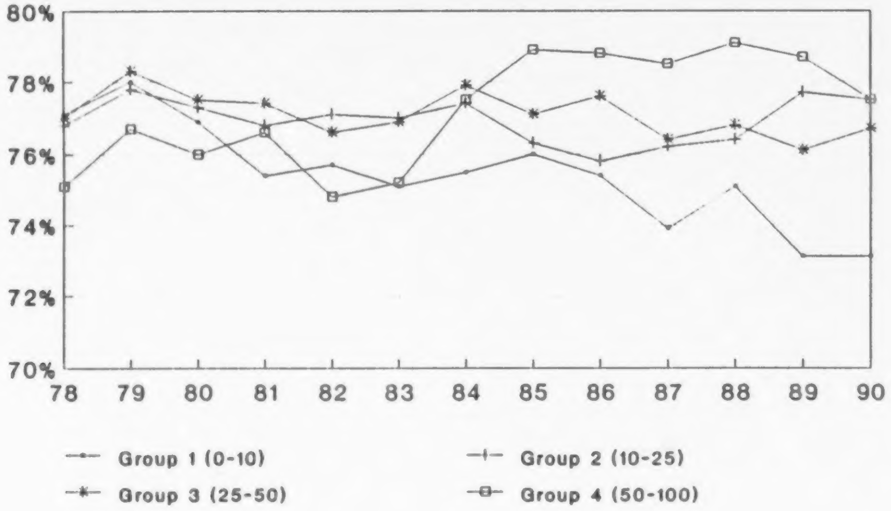


Figure 11
Circulation Revenue as a Percent
of Total Newspaper Revenue By Years

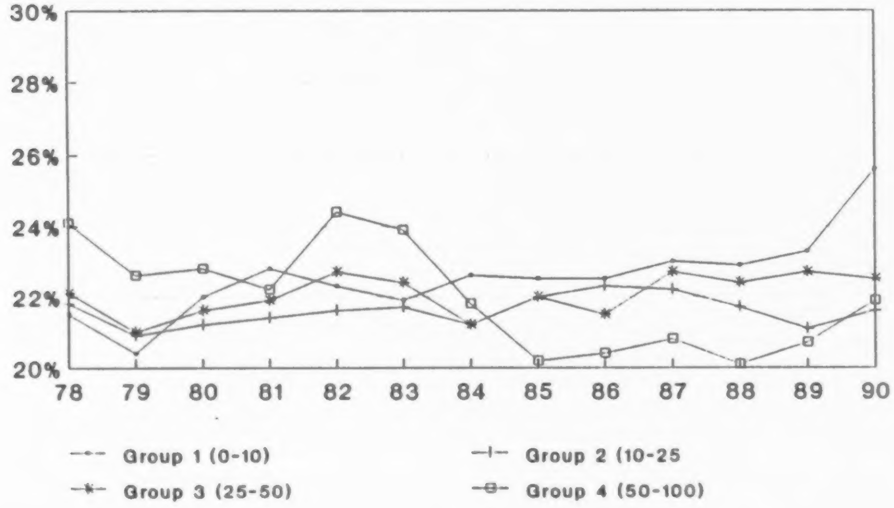


Figure 12
Retail Advertising as a Percent
of Total Advertising By Years

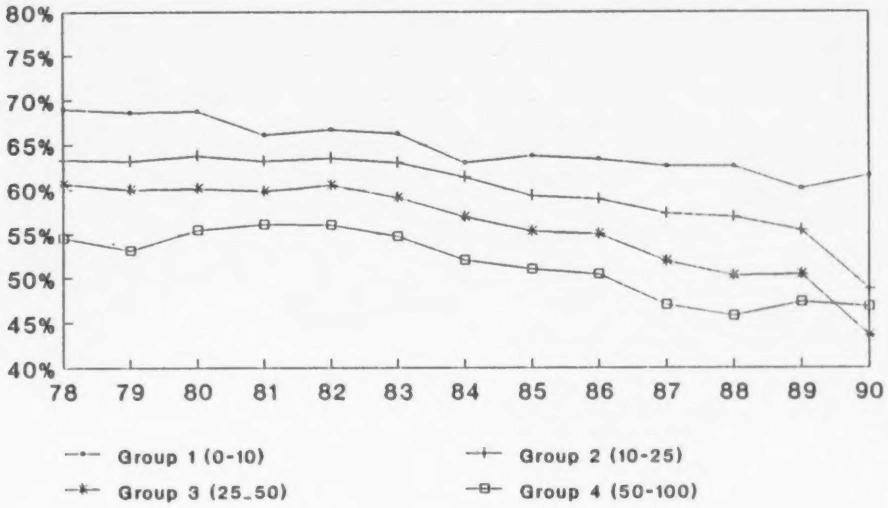


Figure 13
National Advertising as a
Percent of Total Advertising By Years

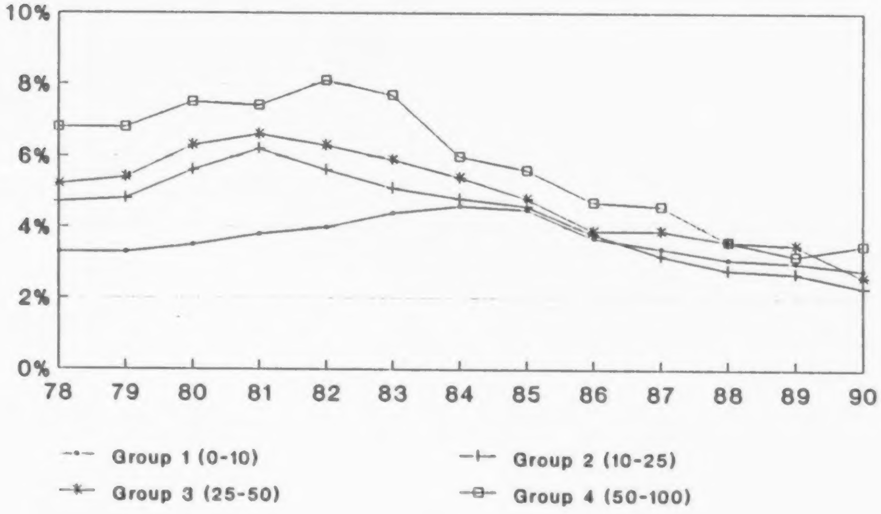


Figure 14
Classifed Advertising as a
Percent of Total Advertising By Years

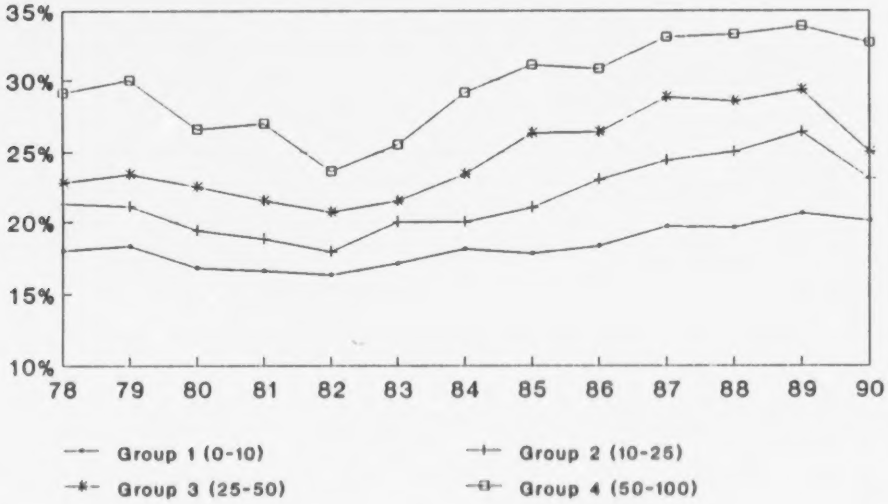


Figure 15
Preprint Advertising as a
Percent of Total Advertising By Years

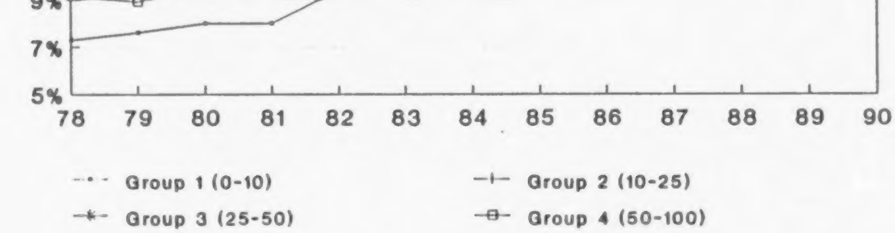


Figure 16
Real Retail Advertising
Revenues Per Inch By Years

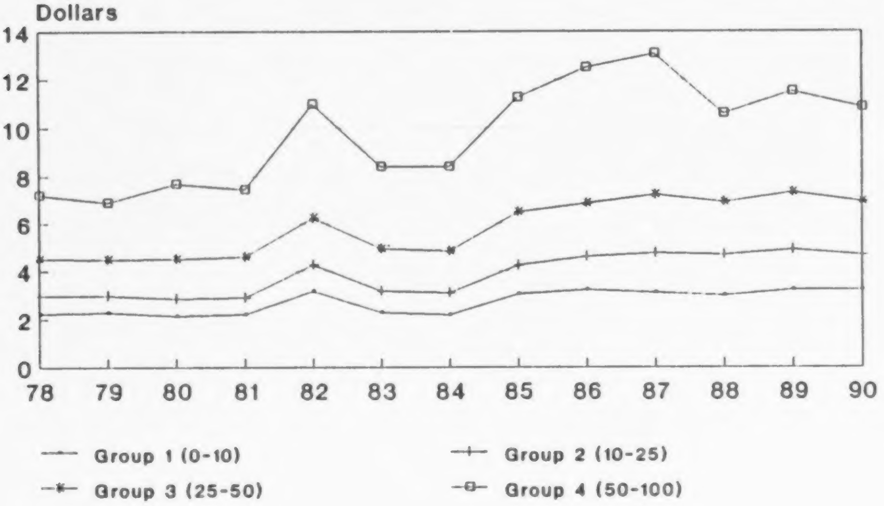


Figure 17
Real National Advertising
Revenue Per Inch By Years

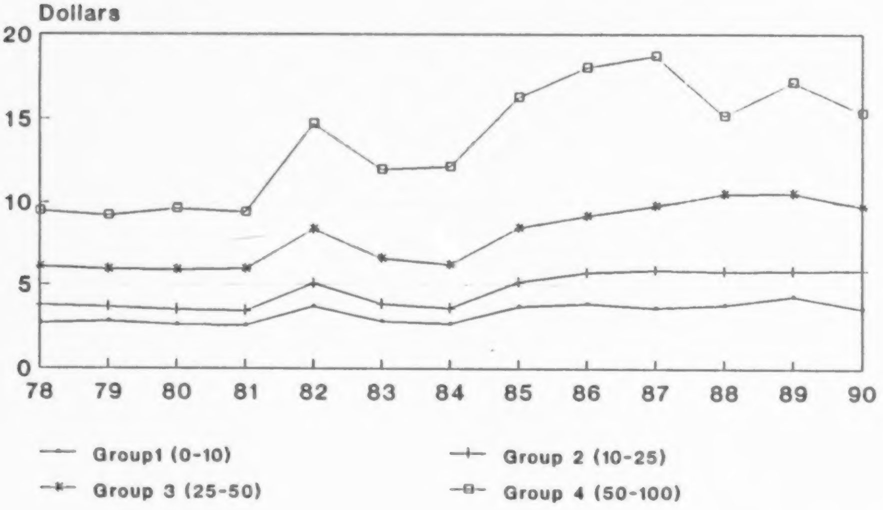


Figure 18
Real Classified Advertising
Revenue Per Inch By Years

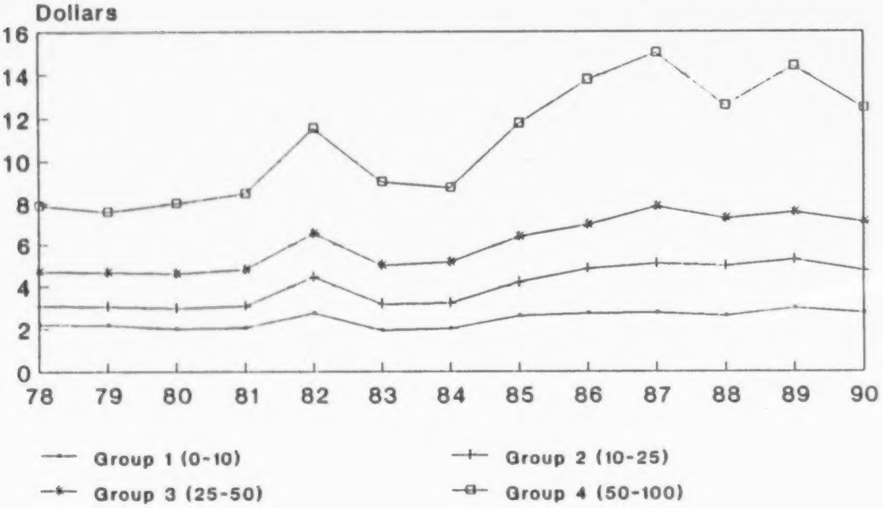


Figure 19
Real Legal Advertising
Revenues Per Inch By Years

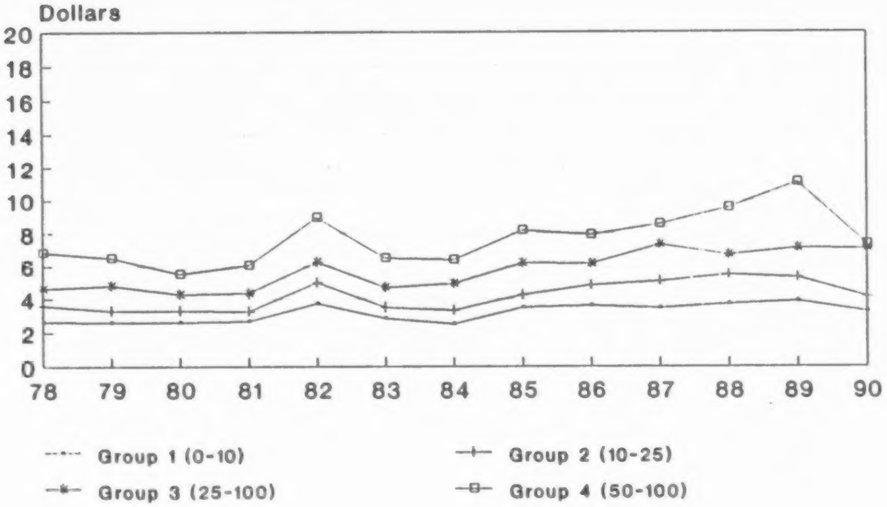


Figure 20
Number of ROP Pages Issued By Years

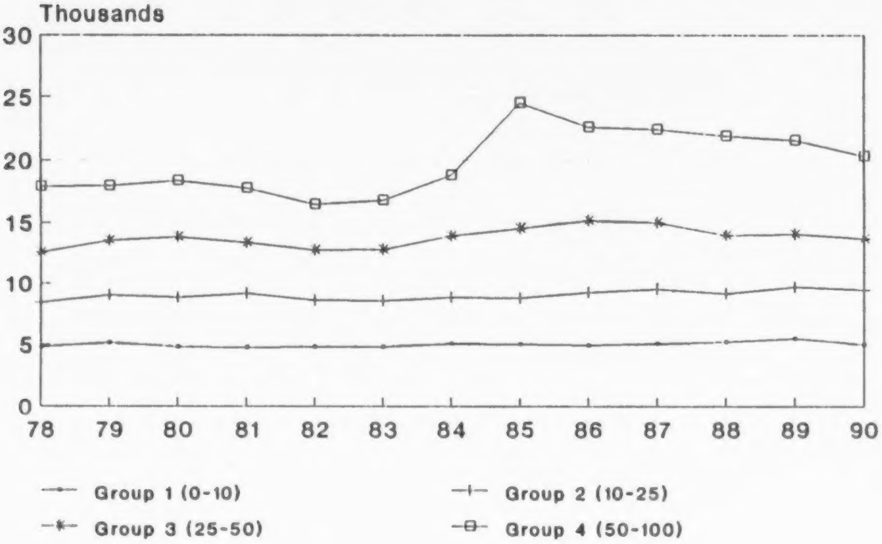


Figure 21
Advertising as a Percent
of Total ROP Space By Years

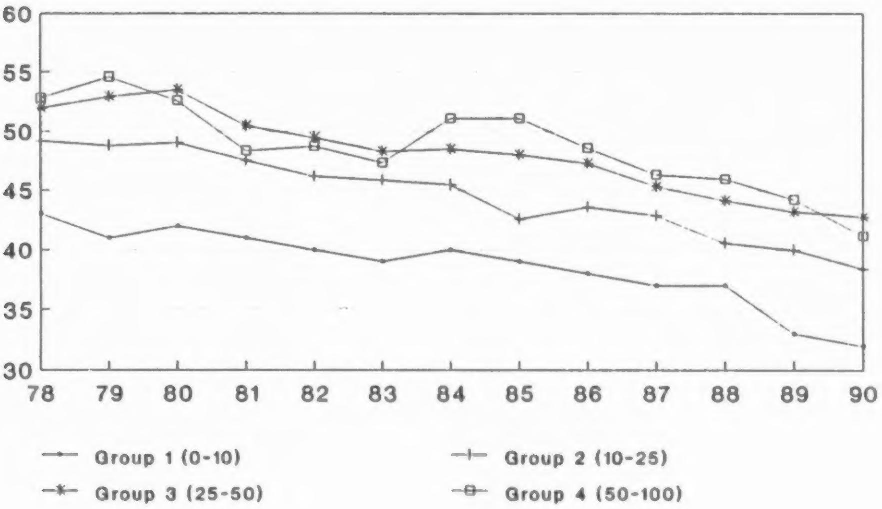


Figure 22
Number of Full-time News
Editorial Employees By Years

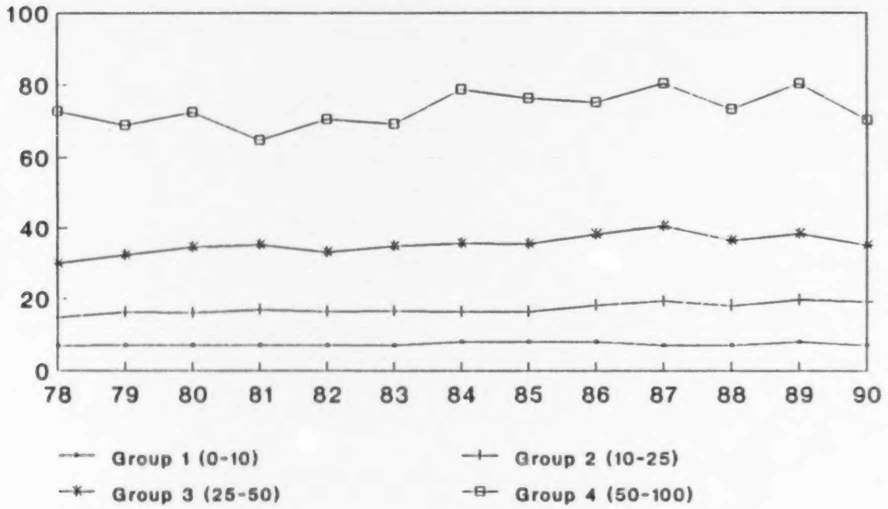
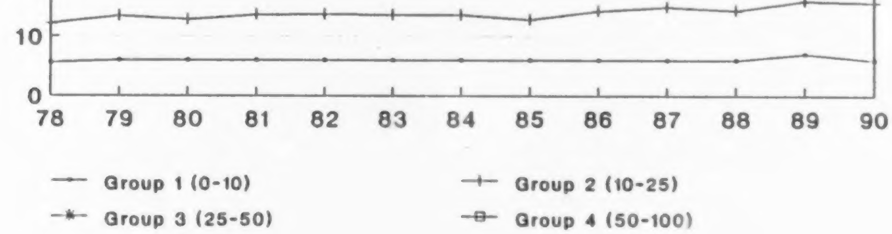


Figure 23
Number of Full-time
Advertising Employees By Years



Sexual Harassment of Washington Women Journalists:

An Initial Study

by

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SEXUAL HARASSMENT OF WASHINGTON WOMEN JOURNALISTS: AN INITIAL STUDY

Background

Sexual harassment of women in the workplace is as old as the paid employment of women. Yet it has failed to be perceived as a significant public issue until relatively recently. Although outlawed under the 1964 Civil Rights Act, sexual harassment was not specifically addressed by the federal government until 1980. That year the Equal Employment Opportunity Commission issued guidelines that defined sexual harassment "as unwelcome or unsolicited verbal, physical or sexual conduct that is made a term or condition of employment, is used as the basis for employment or advancement decisions, or has the effect of unreasonably interfering with work or creating an intimidating, hostile or offensive work environment."[1] During the following years, the subject surfaced only occasionally in the media, with four articles on sexual harassment in popular periodicals indexed in the Reader's Guide to Periodical Literature from March 1980 to February 1981.[2]

It was not until the fall of 1991 that sexual harassment became a major topic of public discussion, after Anita Hill, a law professor, made accusations of verbal sexual harassment against Judge Clarence Thomas, a nominee to the U.S. Supreme Court.[3] Ironically, Hill charged that Thomas had harassed her while serving as head of the EEOC. Although Thomas was confirmed as a Supreme Court justice, media attention to the sexual harassment issue soared. For example, the February 1992 issue of Readers's Guide to Periodical Literature listed 91 articles on sexual harassment that appeared from Oct. 11, 1991 to Jan. 16, 1992.[4]

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[1] "EEOC's Definition of Sexual Harassment," Washington Business, The Washington Post, July 21, 1986, p. 17.

[2] Reader's Guide to Periodical Literature, 40 (March 1980-February 1981): 1366.

Literature Review

While scholarly study has been given to sexual harassment in the workplace, research certainly has not been exhaustive. One reason lies in the difficulty of determining what constitutes sexual harassment from the standpoint of both academics and the general public. This is illustrated by the work of Gruber, who pointed out problems in the labeling of harassment experiences and lack of comprehensive categorizations for different types of harassing experiences.[5] Indeed, some academic researchers have faced confusion surrounding the issue similar to that reported by businesses that contend sexual harassment "lies in a murky gray world of innuendo and social attitudes they feel they can't control," according to The Washington Post.[6]

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[3] See, for example, Newsweek, Oct. 21, 1991, cover story on Hill and Thomas and related material on sexual harassment, pp. 24-38.

[4] Readers's Guide to Periodical Literature, 91 (Oct. 11, 1991 to Jan. 16, 1992): 660-61.

[5] James E. Gruber, "Methodological Problems and Policy Implications in Sexual Harassment Research," Population Research and Policy Review, 9 (September 1990): 235-254. See also, John B. Pryor and Jeanne D. Day, "Interpretations of Sexual Harassment: An Attributional Analysis," Sex-Roles, 18 (April 1988): 405-417, and Dair L. Gillespie and Ann Leffler, "The Politics of Research Methodology in Claims-Making Activities: Social Science and Sexual Harassment," Social Problems, 34 (December 1987):490-501.

Some studies have dealt with experiences of professional women. A survey of 97 social workers found that 51 percent of respondents knew of sexually harassing experiences, with verbal harassment the most common form.[7] Of a total of 122 women members of the Eastern Sociological Society responding to a survey, 54 percent reported mild to severe sexual harassment.[8] Studies also have considered sexual harassment of women in male-dominated occupations. Gutek and Morasch found that women filling formerly male roles were seen as "role deviants" and treated differently than male counterparts, but that the women who experienced this treatment perceived it as directed at them as individuals not as work-role occupants.[9]

Journalism, once almost totally male, is changing into an occupation of women on the lower rungs of the professional ladder as far as newspapers are concerned.[10] To date only one study of sexual harassment among women in newsrooms has been conducted. It resulted in dismaying findings. The study, commissioned by a newspaper business publication, NewsInc., found that 44 percent of newsroom women, primarily managers, reported being sexually harassed - more than twice the percentage of women who reported being harassed at work in general in a Newsweek/Gallup poll.[11] The study was based on 199 responses from 236 women, chiefly older, management women at relatively small newspapers, contacted in various newsrooms by Belden Associates.[12]

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[6] Sharon Warren Walsh, "Confronting Sexual Harassment at Work," Washington Business, The Washington Post, July 21, 1986, pp. 1, 16.

[7] Surjit Singh Dhooper, Marlene B. Huff and Carrie M. Schultz, "Social Work and Sexual Harassment," Journal of Sociology and Social Welfare, 16 (September 1989): 125-138.

[8] "Self Reports by Women Members of the Eastern Sociological Society," New England Sociologist, 1 (Fall 1978): 45-57.

[9] Barbara A. Gutek and Bruce Morasch, "Sex-Ratios, Sex-Role Spillover and Sexual Harassment of Women at Work," Journal of Social Issues, 38 (Winter 1982): 55-74.

[10] Susan Miller, "What Women - and Their Bosses - Should Do To Keep Women Climbing Up the Management Ladder," The Bulletin of the American Society of Newspaper Editors, January 1986, pp. 13-14. See also Lee Stinnett, ed., The Changing

Need for Investigation

Other evidence exists that sexual harassment is a wide-spread problem for women journalists. In 1991 complaints surfaced at three metropolitan newspapers. Women at the St. Petersburg Times detailed complaints of sexual harassment and inequities, forcing management to institute reforms.[13] A similar report at the Tampa Tribune led to management action.[14] In Kansas City a deputy national editor resigned from The Kansas City Star, citing harassment.[15] The previous year an award-winning editorial writer filed an harassment and discrimination suit against

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Face of the Newsroom (Reston, VA.: American Society of Newspaper Editors, 1989), p. 19.

[11] "It Does Happen Here," NewsInc., December 1991, pp. 27, 30-31.

[12] "Women Were Anxious to Talk," NewsInc., December 1991, pp. 28-29.

[13] Randye Hoder, "Women's Protest Gets Results in St. Pete," Washington Journalism Review, October 1981, pp. 14-15.

[14] "It Does Happen Here," NewsInc., p. 31.

[15] Ibid.

the San Diego Union.[16] In Washington women reporters and editors at The Washington Post complained of sexual harassment by a Post columnist, Juan Williams, who wrote in defense of Thomas against Hill's allegations.[17] The newspaper investigated and took disciplinary action of an unpublicized type against Williams.[18]

The incident raised the question of sexual harassment against women journalists in the nation's capital. It addressed a subject studied last year by Dianne Lynch-Paley. She researched to what degree gender was an issue in covering the capital by surveying 184 women newspaper reporters accredited to the Congressional press galleries. Of the 79 who returned questionnaires (representing a 43 percent response), 50 percent believed that gender affected their job performance.[19] She did not ask questions pertaining specifically to sexual harassment.

In view of recent interest in the issue of sexual harassment, these researchers decided to survey women newspaper reporters accredited to the Congressional press galleries to determine if they personally have experienced harassment from sources, co-workers or supervisors.

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[16] "When No One Listens," NewsInc., p. 32.

[17] Richard Harwood, "Dirty Talk," Outlook, The Washington Post, Oct. 27, 1991, p. C8.

[18] Ibid.

[19] Dianne Lynch-Paley, "Covering the Capitol: Is Gender an Issue?" unpublished paper presented at the AEJMC convention, Boston, MA., Aug. 9, 1991, p. 25.

RESEARCH METHODS

Women in the Washington Press Corps form an articulate and highly educated group. One might expect that members of the press in the nation's capital would operate in a realm where they are respected, both as women and as professionals. The authors selected the sample for a mail survey with the thought that if this group has problems with sexual harassment, few other women journalists would escape such difficulties.

The names of 309 women were obtained from the current Congressional Directory listing of persons credentialed as members of the daily newspaper press galleries. On the list were familiar names of well-known journalists, several of whom responded to the survey and signed their names, offering additional help and support for research in this area.

The survey instrument included here as Appendix A was designed to determine (a) if sexual harassment was perceived to be a problem; (b) if members of the press had actually experienced such harassment; and (c) how circumstances in the journalistic workplace protected women from sexual harassment--or left them vulnerable to unwelcome comments and attention.

This definition of sexual harassment was printed in italic on the survey form: "For the purposes of this survey, sexual harassment is defined as any physical or verbal contacts that make the workplace inhospitable for women."

Mailings and Returns

In mid-January, 309 surveys were mailed, along with an addressed return envelope. Three weeks later, a reminder post card was mailed to all but the 33 people whose surveys were returned because addressee was unknown or had moved. This initial mailing yielded 61 responses, many with long personal comments attached.

In the first week of March, researchers sent a follow-up mailing to the 274 women remaining on the list. This mailing included a second copy of the survey, a letter of thanks to those who already had answered and, for those who had not responded, a plea for cooperation and a stamped, self-addressed envelope.

This second mailing produced 41 more responses. One survey was returned because of an incorrect address. Therefore, the researchers obtained surveys from a total of 102 respondents out of 273 possibilities -- a response rate of 37 percent.

Statistical tests used to compare respondents from the first and second mailings found no differences between the early and later groups. In both the first and second mailings, about 80 percent of respondents said sexual harassment was a problem for news women, and more than half said that such harassment had been a problem for them personally. On other variables, the groups were equally similar.

Characteristics of the Sample Group

The average sample member was in her thirties, with about 13 years of experience as a journalist. She was most likely to be single, without children, and hoping to change fields in the next five to ten years. Statistical information on sample members is shown in Table 1.

As the table indicates, some three-fourths of the sample group was between the ages of 30 and 50. About 55 percent of respondents were women in their thirties, and another 18 percent were women in their forties. Years of experience for the sample group ranged from one to 61 years. Most worked for men as their direct supervisors, and most worked in fairly large news organizations.

SURVEY RESULTS

Of the 80 percent who said that harassment was a problem for women journalists, a strong majority said they had personally experienced some kind of harassment on the job. Sixty percent of the total sample group said that harassment had been a problem for them as individuals.

Analysis indicated that women who had and had not experienced harassment were alike in most respects. The two groups were equally ambitious, judging by their responses to questions about career aspirations, and they were equally likely to be working in relatively large news organizations.

The harassed and non-harassed groups differed in two ways: Analysis of Variance showed that women in their twenties were significantly less likely to cite instances of harassment, with 42 percent of women in that youngest age group saying it had been a problem, compared to 69 percent of women in their 30s and 60 percent of women over 40.

All but a few women who reported having problems wrote about the nature of harassment, with most mentioning inappropriate comments, touching and propositioning.

Of those who reported some form of harassment, 20 percent said they had been harassed by both co-workers and news sources. About 40 percent reported being harassed by a co-worker only; another 40 percent cited only news sources.

One respondent described her harassment as "sexual innuendo; flat-out comments on appearance and sexuality; attempt to intimidate by leering at breasts, etc. - occasional brushing up or touching." Another noted "talk of sex, propositions, invitations to join in sex."

A third cited several incidents: "(#1) Fellow employee repeatedly discussed a 'crush' he had on me - despite being told to stop; (#2) Source grabbed my leg under the table during an interview with his boss; (#3) Recently during an interview on a cable TV show, the host mentioned my 'single' status - no personal information was given on the other guests. He also mentioned my legs in interview trying to be funny. (My employer had to request that his comments be edited out of the show!)"

"An important source often invited me for dinner even though he knows I'm married," a fourth reported. "At daytime meetings he would often turn discussion to his sexual exploits, such as the time he claims he had sex with a neighbor who was nine months pregnant (with her husband's baby!)"

Harassment and the Quality of Life

Researchers used a set of five statements to assess quality of life in the work environment for each respondent. The statements shown in Table 2 were posed, and respondents were asked to indicate with a score on a scale of one to five whether they agreed or disagreed with each statement. A score of one would indicate strong agreement; a score of two, agreement; three would indicate neutrality or undecidedness; and a score of five would indicate strong disagreement.

For the total sample, half disagreed with the statement that men and women were treated equally in the newsroom. Twenty percent said they strongly disagreed, and another 30 percent said they disagreed. Only 8 percent said they thought treatment was equal for men and women in their places of work.

Respondents felt more positive about treatment from their peers. About three fourths of responses indicated neutral or positive reactions to treatment by male peers at work.

Respondents also gave high ratings to their workplace as being comfortable for women, with 70 percent indicating that they found the workplace either comfortable or at least a neutral ground. Feelings about peers and comfort at work were found to be significantly and positively correlated. In fact, all Quality of Life variables were strongly interrelated except for the statement concerning reduction of bias because of increases in the numbers of women in journalism. Perhaps this statement required respondents to stop and consider whether they personally have encountered an increased number of women. For some, the answer was no, even though they found the quality of life at work to be good.

About 80 percent of the respondents said they would like to see changes in their workplaces to enhance the climate for women, or at least would not mind such changes. This was the statement most likely to receive a response of "agree," while the statement that men and women are treated equally generated the most disagreement. The mean response for this item was 3.7, or disagree. Other items received mean responses of below 3, indicating a fair amount of satisfaction with peers and comfort on the job. Factors outside the immediate environment appear to be stimulating feelings of inequality and a desire for change to enhance the climate.

Possibly women in journalism believe that they are doing as well or better in journalism than they would do in other occupations given discrimination against women in general. As one women expressed it, "I have been sexually harassed at almost all the jobs I have held since I was 16, not all journalism. Mostly, it's subtle harassment and basic prejudice about women's abilities. There is also the assumption that women will follow their men (companions) at work. (An employer turned me down for a job because my boy friend left for another city.)

Not a Problem

Only 18 respondents unequivocally responded "no," that sexual harassment was not a problem for news women. In most respects, this group was like fellow respondents. That is, in terms of age, marital status, size of employing organization, and other characteristics, no differences could be found to explain this rather dramatic difference in sentiment. The "no" group was equally divided among those whose employers had a policy for dealing with harassment and those who did not.

The "no" group did differ on the quality of life variables. T-tests determined that they were significantly more satisfied than the other group with equality of treatment in their workplaces and were less likely to want changes to enhance the climate for women. These differences raise a chicken-or-egg question: Does a better work environment inhibit sexual harassment, or does a lack of harassment make for a better environment?

Some interesting inconsistencies were found in responses of the "no" group. After saying that harassment was not a problem, two of the respondents described proceedings against harassers in their workplaces. Another said in later comments in her survey that "...things are better now than they have been," a statement that indicates more than "no" problem with harassment. Yet another explained herself when she said that sexual harassment as generally defined was not a problem to her, but that she felt harassed by poor maternity benefits.

The "no" group was distinguished in one other way: Members signed their names to their surveys, indicating willingness to be contacted for further questions, at nearly twice the rate of other respondents. Nearly half of this group indicated that they would cooperate further, as compared to only a fourth of respondents who answered that sexual harassment was a problem. Perhaps the minority group has views that are worth hearing; perhaps their 'no" was really an expression of frustration with what they deem to be an issue that is trivial compared to other injustices against women.

One expressed her views as follows: "I am concerned that undue attention to 'sexual harassment' will cause unnecessary strain in newsrooms. No reporter - male or female - is perfect; we all say things that could be taken askance, despite the best of intentions. Please don't let our sensibilities by newswomen jeopardize the current casual and comfortable climate between men and women I've seen in my last three newsroom situations. Perhaps people - especially my fellow women - need to lighten up."

A second said, "This survey assumes problems exist, when they do not in 99% of relationships. Also, some women are ditsy and some men are vulgar. You've got to deal with it individually, not as a 'group.' I don't countenance harassment, now or as a young (attractive) woman - not from anyone."

Other Areas of Concern

Many comments on the questionnaires indicated a greater concern for other areas of perceived inequality than harassment.

One woman gave an account of discrimination in assignments: "After covering the Panama invasion and spending two Christmases in war zones, I expected to have - and briefly did have - an inside track on assignment to cover the Persian Gulf war. But senior editors repeatedly delayed sending me to follow my two male colleagues to the Middle East and finally sent a third white male. Later I found out that senior editors had balked by sending me, with one suggesting that I might be too much of a "feature writer" (I have a reputation as one of the paper's best writers) for the hard news of the war and another - obviously looking for reasons not to send me - asking one of my colleagues in the Gulf whether 'women were having any problems in the combat pools.' Both concerns ignored my own track record as a 'war correspondent' and the very obvious presence of women in the combat pools."

Another woman said, "In my office now, subtle but pervasive sex discrimination is the greatest problem."

"In office, male bosses tend to overlook women (including me) for tougher assignments," a third respondent said. "News sources talk to men, call on men first in most press conferences, briefings."

"Nearly every male boss I've ever had has been very controlling. If you don't play their way, you're out," a fourth woman commented. This and other responses alluded to the power of news executives. The question then becomes to what extent news organizations use their power to protect employees from sexual harassment.

When Harassment Happens

More than half of the respondents said that their organizations had written policies pertaining to sexual harassment. The survey showed that organizations of all sizes are equally likely to have policies and that the majority require that harassment complaints be handled by an employee's immediate superior. A total of 41 respondents with policies reported that complaints were handled by the immediate supervisor of the person making the complaint. Nineteen reported that harassment complaints were handled by personnel other than the immediate supervisor, most often through the organization's personnel department.

For the 37 respondents who said they had no written policies, procedures in cases of sexual harassment seemed locked up in the proverbial black box. When asked how an incident of harassment was handled in their workplaces, a third of the respondents said they did not know, while another third replied, "It's not handled" or "You're on your own." Others said they thought their supervisors would handle complaints.

Overall, knowledge of procedures for dealing with sexual harassment was less than widespread. More than 20 percent of respondents said at some point in their responses to the survey that they weren't sure or did not know what procedures were for handling sexual harassment issues in their offices.

Respondents also were asked how organizations handled harassment from outsiders - from sources or their employees. Here an even greater majority indicated lack of knowledge. More than half, 55 percent, said they did not know, and another 24 percent said such abuses were not handled, again with comments such as "You're on your own." It should be noted, however, that some respondents said they wanted it that way, indicating that they believe it is up to each individual woman to prove that she can handle incidents of this type if they occur.

Respondents reported reactions of male colleagues in their organizations to policies dealing with sexual harassment fell into three categories in about the same proportion: Men were likely to be negative, to think present policies were adequate or to be supportive. Only four respondents, however, said that a male co-worker had taken an active supporting role in the bringing of a complaint. Women colleagues were more likely to be supportive, according to respondents, nine of whom noted women co-workers had taken active roles in supporting complaints.

Faced with a complaint, the respondents said, management usually took action

- and with more than one approach. The most common combination within the office appeared to be an open forum to consider the issue in general, followed by discussion among upper-level executives and finally a reprimand of the employe initially charged with harassment.

Thirty-two of the respondents reported working in organizations where formal complaints of sexual harassment had been made and described the processes of dealing with them. This total, however, does not indicate the number of complaints because several questionnaires may have been returned from each of the organizations involved. But these records of proceedings, summarized in Table 3, provide some insights into typical responses to complaints of harassment. The most commonly reported form of complaint was that made by a group of women, followed closely by charges made by individuals.

Complaints appeared as likely to be brought in organizations that had policies against sexual harassment as in those that did not. Complaints came about equally from women of all age groups and all types of marital status. In addition, cross tabulations showed that complaints reported appeared to be unrelated to respondents' voiced concerns about harassment being a problem for women in journalism as a group or for themselves individually. (Apparently some respondents reported complaints they knew about, but they did not consider sexual harassment a significant problem.)

One interesting question arises outside the scope of this study: Do complaints cause policy to be written? The researchers suspect that this may be the case because of the nature of responses shown in Table 3, where reports were made of 19 upper-level discussions, 10 executive actions and 10 policies being developed. We have no way to tell, however, what policies existed prior to the complaints and reactions.

Women Managers: An Oxymoron?

When asked what changes needed to be made in news organizations to enhance the climate for women, 33 respondents--a third of the sample--specifically suggested having more women in management.

"We need more women in management as editors and publishers before things will really change," one woman said. Another called for "more women in management," along with "more respect for women and better pay." A third commented there was a "need for more women in upper management to understand and respond to concerns of female employees."

It does seem surprising that two-thirds of the supervisors of the respondents are men when the number of women in journalism has been rising steadily since the 1970s. It appears that the fears of some researchers may have come true - that women somehow have become "stuck" at the lower and middle levels rather than rising to the top.[20]

The aspirations of the sample group shown in Table 4 suggest that these women may consider themselves "stuck," possibly as a result of coping with discrimination. As one respondent put it, "Washington is a particularly tough town for women; women in my bureau are paid less/treated with less respect/listened to less. We're inferior." Another commented, "The women in my newsroom are more concerned about being passed over for plum beats than being harassed. It's the subtle, not the overt, that's the issue."

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[20] Lois Lauer Wolfe notes that 18.4 percent of managing editors are women in "Will You Be Around in 2036 When Management Jobs Reach 50-50 Men/Women?" Press Woman, Vol. 55, February 1992, p. 18.

When asked what they wanted to be doing in five years, 29 percent said they wanted to be in the same job, and 19 percent wanted to leave journalism entirely. Goals outside journalism varied, but the will to leave was resolute with this group. Other respondents had goals within the journalism field, but only 6 percent said they would like to be managers in five years.

The number voicing management aspirations increased when the question changed to "What do you hope to be doing professionally in 10 years?" Some 18 percent mentioned management jobs, but this figure was surpassed by the number wanting out of journalism entirely - 21 percent. Still a popular choice was staying in the same job, the response given by 16 percent of the sample group.

It is ironic that these responses came from the group that longs for more women in management. Where will women managers come from, if not from such a rich talent pool as this sample? These responses suggest that changes in roles may occur very slowly, if at all.

Although no question specifically addressed the subject of women's roles, several respondents volunteered comments on the role conflicts that women face. One said, "Women should not be expected to do certain things....For instance, one woman manager often is expected to drive to meetings, drop off men, then spend the first part of the meeting looking for a parking spot. [We] need more awareness."

Another said, "I am exhausted from trying to juggle all my roles and getting no credit while the men who put a picture of their kid on the wall tell jokes about them, but never go home or do any housework think they are good fathers and get lots of praise! Until two months ago there were only two women with children at home working here. The other woman makes enough money to have a full-time housekeeper. I don't. So is having children and a career in journalism mainly for those big names we see in the magazines all the time?"

CONCLUSIONS

This study reveals the existence of sexual harassment as a issue for women members of the Washington Press Corps. Although the response rate was relatively low for a mail survey (37 percent), the percentage of respondents identifying sexual harassment as a problem was extremely high (80 percent). This suggests the strong possibility that at least some of those who did not respond engaged in avoidance behavior, declining to face an unpleasant subject. Others may have had difficulty - as did some of the respondents - in trying to distinguish between sexual discrimination and harassment and therefore did not return the survey form. (Still others, of course, may not have wanted to participate for numerous reasons including a view that there is no problem to be addressed.)

There is no doubt that individuals define harassment differently, with some women perceiving more harassment than others in sexual innuendos, comments on their appearances, requests for dates and sexually explicit language. As one respondent put it, "Situations vary greatly.... Also, women occasionally are the source of annoying sexually related behavior that affects both men and women." Yet the number of women who did respond to this survey and report examples of blatant instances of sexual harassment cannot be overlooked. For instance, one woman referred to an "obscene gesture by a member of Congress and comments (made by him) to another lawmaker."

The researchers believe, after reading the comments of the respondents, that sexual harassment of these women journalists exists as a form of social control by some males abetted by some women. Harassers use their tactics, the researchers conclude, as power plays to keep women journalists "in their place." Harassment is used to limit them to subordinate roles in which they are limited to being sex objects, not professional women. It makes it more difficult for them than for men to get news and to move ahead in the field.

As a group, the women respondents showed a relative lack of knowledge of their news organizations' formal and informal policies relating to sexual harassment. This may be linked to the fact that two-thirds of the respondents worked under male supervisors. It is likely at least some of these men did not feel comfortable discussing policies against sexual harassment with women and apparently the women in return did not feel comfortable raising the subject.

This can be inferred from comments made by respondents. One, who complained of "comments made by male co-workers about my legs, staring at my chest, patronizing remarks, not taking me as seriously as male co-workers," attributed the problem to "the older males in my newsroom, who happen to be the bosses." She said, "They're part of the 'old boy' network in which women have no place. These men tolerate the women in the newsroom and know that women must be there, but they don't treat the women as equal. Education on harassment has led these men to view harassment as a joke." This respondent suggested that "advancing more women or even younger males could lead to a change in their 'network' and benefit female and male employees."

Others commented on superiors who were harassers themselves. "I've been harassed by a boss who promoted women who had sex with him [as well as] politicians who expected a date if you interview them or go to lunch with them," one woman said.

What emerges from the respondents' comments is a clear sense that women lack guidance in how to proceed to bring a harassment charge even if their news organizations have policies forbidding harassment. Women seem to be left on their own or counseled to remain silent. For example, one said, "I went to my editor and explained the situation. He told me he would stand behind me in whatever I chose to do, but told me things might get ugly and there might be a day when I regretted publicizing the harassment. I decided to drop the complaint."

A strong majority of women respondents said they believed the climate in their offices would improve if more women moved into management roles. Yet paradoxically only 6 percent of the respondents described themselves as aspiring to management in five years. The women apparently failed to recognize that they themselves represent the pool from which new women editors and managers can be drawn.

To what extent disillusionment with present managers keeps women from seeking to follow in their footsteps represents a broad topic for future research. More comprehensive surveys of all forms of sexual discrimination, including harassment, are needed. Certainly more research is needed on the specific policies that news organizations have regarding sexual harassment. Studies of the effectiveness of sensitivity training, which was called for by some respondents, could afford valuable data. Above all, the issue of sexual harassment needs to be brought out into the open so women are no longer left alone to deal with the problem.

Table 1
Characteristics of the Sample Group

	N	Percent
Age		
Twenties	19	19
Thirties	56	55
Forties	18	18
Fifties and over	7	7
Year of Professional Experience		
0-5 years	18	18
6-10	19	19
11-20	51	50
21 or more	11	11
Marital Status		
single	48	47
single, children at home	0	0
married, no children	18	18
married, children at home	35	34
Supervisor		
Male	67	66
Female	34	33
Response in first/second mailing		
First mailing	62	61
Second mailing	40	39
Reported size of office staff		
Under 25	35	37
25-99	36	36
100-499	18	19
500 or more	6	6
Reported size of organization		
Under 25	1	1
25-99	8	9
100-499	23	24
500 or more	41	43
answered only on office size	22	23

Table 2
Means for quality of life evaluation variables
(1=strongly agree and 5=strongly disagree)

Statement	Mean	N
Men and women are treated equally by managers in my workplace.	3.33	99
Male employees treat women peers as equals in my workplace.	2.80	98
My workplace is equally comfortable for women and men employees.	2.82	99
Potential for sexual harassment in my workplace has been reduced because of increasing numbers of women in the office.	2.50	95
I would like to see some changes in my workplaceto enhance the climate for women.	2.25	97

Table 3
Respondent Reports of How Harassment is Handled within Workplaces

Source of report of harassment	N
Appeal by an individual	19
Litigation by an individual	3
Group appeal or action	21
Group litigation	6
Employer response	
Ignored report	4
Forum held	19
Discussion among upper level staff	19
Reprimand issued	18
Committee took action	8
An executive took action	10
A policy was developed	10
Responses of Male Colleagues	
Negative attitude	12
Feeling that policies are adequate	14
Feeling of overall support	15
Active support role	4
Responses of Women Colleagues	
Negative attitude	3
Feeling that policies are adequate	1
Feeling of overall support	18
Active role in requesting action	9

Table 4
Respondents' Stated Five- and Ten-year Career Goals

What do you see yourself doing professionally...	in five years?	in ten years?
Staying in same job	29%	16%
Changing fields	19	21
Higher status job	13	6
In larger organization	9	4
In more prominent organization	6	3
In management	6	18
Don't know	6	10
No answer	15	28

THROUGH THE EYES OF GENDER AND HOLLYWOOD: CONFLICTING VISIONS OF IŞAK DINESEN'S AFRICA

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Introduction

In recent years, few autobiographies have generated the mass media attention of Isak Dinesen's *Out of Africa* (1937). In 1985, Dinesen's book, and her other autobiographical work, *Shadows on the Grass* (1961), provided the basis for Sydney Pollack's film, "Out of Africa," starring Meryl Streep as Dinesen and Robert Redford as Denys Finch Hatton. This romantic drama was one of the biggest Hollywood hits of the 1980s, grossing $27 million in the first three weeks after its release (Nixon, 1986) and winning seven Academy Awards, including best picture. Dinesen's books, many of which were out of print, have been re-issued in response to the new interest in her writing (Nixon, 1986).

"Out of Africa" (1985), Hollywood's version of Isak Dinesen's (nee Karen Dinesen) autobiography, received praise from many critics for its sensitive portrayal of a strong woman and her adult relationship with a man (Kipnis, 1989). A few dissenting voices emerged, however, that were critical of the movie's representation of colonialism and women. One male critic (Nixon, 1986) attacked the film's glamorization of colonialism, but ignored the sexual politics submerged in its narrative structure. Laura Kipnis (1989), a feminist scholar, argued that "Out of Africa" is "a series of running jokes at the woman's expense. . . . the woman [Dinesen] is constantly undercut, ridiculed, instructed and put in her place by a white male" (pp. 45, 48). The film's underlying message, according to Kipnis, perpetuates the patriarchal ideals of male superiority and dominance and female dependence and submissiveness. Further, Kennedy (1987) stated the most sympathetic and sensitive feature of Dinesen's *Out of Africa* is her portrayal of the Africans with whom she lived and worked. In fact, two African servants, Farah and Kamante, are the focus of Dinesen's autobiography. In contrast, the movie foregrounds Denys Finch Hatton and his romantic relationship with Dinesen, not the Africans.

Critics seem to agree that Dinesen's autobiographies, *Out of Africa* and *Shadows on the Grass* are not factual accounts of Dinesen's life in Kenya and that Dinesen's views towards the aristocracy significantly influenced both her fiction and nonfiction Hannah, 1971; Johannesson, 1961; Kennedy, 1987; Langbaum, 1964; Nixon, 1986; Westenholz, 1982/1987). Considerable disagreement remains, however, regarding Dinesen's motivations in her interactions with the Africans as well as her conception of an aristocracy (Aiken, 1990; Hannah; Johannesson; Juhl &

Jorgensen, 1981/1985; Kennedy; Nixon; Langbaum; Schow, 1986; Stambaugh, 1988; Westenholz)..

The varying critical responses to "Out of Africa" raise some interesting questions. Although both the autobiographies and the film document the same 18 years Isak Dinesen lived on a farm during the time Kenya was still British East Africa, their respective accounts of Dinesen's life and times seem to contradict each other. Indeed, the tensions evident between Dinesen's own accounts and the differing accounts presented in the film are a principal focus of this study. As a rhetorical inquiry, this study is, however, less concerned, with the factual accuracy or intentionality of Dinesen's autobiographies than with how the stories constructed by Dinesen created a particular view of both herself and Africa for her readers.

Specifically, the purpose of this study is compare the rhetorical dimensions of the film text with those found in Dinesen's written texts in order to analyze the differing rhetorical strategies each text used to represent the woman, Isak Dinesen, to a mass audience.

Statement of Method

Ernest Bormann's (1972) rhetorical method of fantasy theme analysis is the method used to explicate the rhetorical dimensions of the written and film texts of "Out of Africa." Fantasy theme analysis has been applied to a variety of rhetorical artifacts including novels (Doyle, 1985; Hubbard, 1985), magazines (Kidd, 1975), newspapers and editorials (Descutner & Cooper, 1989; Haskins, 1981), television newscasts (Bormann, 1982; Nimmo & Combs, 1982), television programs (Brown, 1976), movies (Foss & Littlejohn, 1986), movement rhetoric (Cragan, 1975; Foss, 1979; Ilkka, 1977; Kroll, 1983), political discourse (Bormann, 1973, 1977; Neal, 1989; Putnam, 1972), political cartoons (Bormann, Koester, & Bennett, 1978), religious discourse (Bormann, 1972, 1985; Hensley, 1975), and both interpersonal (Glaser & Frank, 1982) and organizational discourse (Koester, 1982).

Fantasy theme analysis (Foss, 1989) involves five steps, with the first requiring critics to determine if in fact a fantasy theme exists. One way to establish a fantasy theme's existence is to look for the repeated ideas or themes found in the media, organizations, social movements, or in the speeches of public figures. For example, male independence and dominance and female dependence and submission is a frequent theme underlying media representations of women

(Haskell, 1974; 1987; Steeves, 1987), and is one fantasy theme that was found in the film "Out of Africa."

A second step requires coding the themes within the artifact into one of three categories: setting, character, or action. Statements telling where the drama is taking place and/or describing the tone of the scene are categorized as setting themes. For example, the opening line of Dinesen's autobiography is, "I had a farm in Africa, at the foot of the Ngong hills" (*OA*, p. 3),[1] thus establishing the site of the drama. In the second paragraph, Dinesen established the setting's tone as exotic when she wrote: "The geographical position, and the height of the land combined to create a landscape that had not its like in all the world. . . . Everything you saw made for greatness and freedom, and unequalled nobility" (pp. 3-4). Pollack was able to establish this same tone in the film's opening with the wide shots of the African landscape.

Statements describing the characters (i.e., dramatis personae) within the drama are defined as character themes. Usually, a discourse constructed around a fantasy theme will include both villains and heroes. For instance, toward the end of *Out of Africa* Dinesen describes the death and funeral of the Kikuyu leader, Chief Kinanjui. First, the Mission doctors forced the dying Kinanjui to leave his hut and took him to the Mission hospital where he died the same night. Second, Kinanjui was denied the traditional Kikuyu burial, as missionaries held an "altogether a European and clerical affair. . . . the day and the place belonged to the Clergy. . . . They were so obviously in power that one felt it to be out of the question for Kinanjui to get away from them" (*OA*, pp. 326-327). Dinesen's critical description of Kinanjui's funeral simultaneously frames the European clergy as the villain and both herself and Chief Kinanjui as the heroes. The secondary heroes and villains (i.e., supporting players) sanction and embody the actions of either the heroes or the villains.

Action themes (i.e., plotline) delineate the dramatic conflict between the heroes and the villains. For example, throughout Dinesen's autobiographies the plotlines functioned to represent the injustices the Africans endured at the hands of the villainous white settlers in contrast to the just and fair treatment they received from her. Finally, the sanctioning agent is the source that justifies the acceptance of a rhetorical drama (Shields, 1981). The sanctioning agent may be a higher power or ideal (i.e., justice, God), or it may be an issue that has current salience for a public (i.e., nuclear weapons).

After the themes are categorized, they are divided into major and minor themes, the third step of the criticism. Major themes are those appearing most frequently, and they are used to derive the rhetorical vision. In the fourth step, a motive is suggested for the rhetorical vision based on the theme that receives the most emphasis or has the most impact on the discourse. Finally, the rhetorical visions within the texts are evaluated.

Fantasy Theme Analysis of Autobiographies

> *When I write down as accurately as possible my experiences on the farm, with the country and with some of the inhabitants of the plains and woods, it may have a sort of historical interest.*
>
> Isak Dinesen

Three fantasy theme emerged during the analysis of Dinesen's autobiographies: unity, dependence and acceptance. The rhetorical strategies of antitheses and parallelism are used throughout the fantasy theme of unity, and parallelism is the dominant strategy used within the fantasy themes of dependence and acceptance. As a rhetorical strategy, antithesis usually involves the articulation of heroes and villains whose respective goals are diametrically opposed to each other (Burke, 1972). For example, by constructing the narratives around the Africans and their struggles with the European settlers, Dinesen established herself as the moral opposite and, importantly, the moral superior of the settlers. In her narratives, the strategy of parallelism is grounded in an idealistic appeal to the abstract value of justice. Parallelism seeks to suggest a togetherness between people and functions so as to link, however indirectly, dissimilar groups of individuals (Olsen, cited in Cheney, 1983). For instance, Dinesen wrote that the lives of the Africans ran "parallel with my own, on a different plane. Echoes went from the one to the other" (*OA*, p. 20). In order to provide a context for the fantasy themes, the related themes of setting, character and action identified within the autobiographies will be described first.

Setting Themes

Statements telling where the drama between the characters takes place and/or describing the tone of the scenes are characterized as setting themes. Three different but overlapping settings appear throughout Isak Dinesen's autobiographical narratives. The foreground setting is the open, untamed land of Africa in which her farm is located. Dinesen's farm is the present setting and where most of the scenarios are acted out by the characters. In her narratives, Dinesen equated the openness and freedom of the African plains and people with the atmosphere on her farm. An idealized, aristocratic past is the third setting. Throughout the narratives, Dinesen compared the African heroes of her dramas to the characteristics embodied in the noble aristocrats of pre-industrial society. Moreover, the shared values of the past served to unit Dinesen's African and European heroes: "White people to whom the past was still a reality . . . would get on easier with the Africans and would come closer to them than others, to whom the world was created yesterday" (*SG*, p. 429).

Character Themes

Statements describing the characters (i.e., dramatis personae) within the drama are defined as character themes. In Dinesen's narratives, two character themes are dominant: villains and heroes. The villains are the European settlers who want to change Africa and its native inhabitants, specifically British Government officials, Nairobi businessmen, and the Protestant and Catholic clergy. Rather than fitting with the country and the people, the villains represent the evils of cultural and racial imperialism.

The heroes are the moral opposites of the villains. The primary hero is Isak Dinesen, as she consistently represents herself as fitting with the country and its people. Although Dinesen provides very little specific information about herself, a characteristic typical of women autobiographers (Jelinek, 1980; 1986), the descriptions of her relationships with the African people with whom she lived and worked convey a deep sense of harmony and unity. The secondary heroes (i.e., supporting players) sanction and embody the actions and values of the hero, Isak Dinesen; they also are at one with Africa and its inhabitants. Included in the secondary heroes are the Africans, particularly her servants, Farah and Kamante, and Chief Kinanjui, the Kikuyu chief, as well as her elite English friends, Berkeley Cole and Denys Finch Hatton.

Action Themes

Action themes (i.e., plotline) delineate the dramatic conflict between the heroes and villains. As will become evident during the discussions of the fantasy themes, throughout Dinesen's autobiographies the plotlines function to represent the injustices the Africans endured at the hands of the villains in contrast to the just and fair treatment they received from her. From Dinesen's perspective, the Africans were able to maintain their dignity only through their rejection of European culture and progress. A defender of the neo-feudal system in which the Africans naturally assumed subordinate positions in exchange for the benevolence of their superiors, Dinesen represented herself as fighting the settlers who wished to civilize the Africans and thereby rob them of their past. Thus, the sanctioning agent, the source that justifies the rhetorical drama, was identified as moral justice; the settlers violated the rights of the Africans while Dinesen consistently upheld their rights. From these character, action, and setting themes, three fantasy themes emerged: unity, dependence, and acceptance. The next section provides descriptions of these fantasy themes that underlie the narrative structure of *Out of Africa* and *Shadows on the Grass.*

Fantasy Theme of Unity

> *When we really did break into the Natives' existence, they behaved like ants, when you poke a stick into their anthill; they wiped out the damage with unwearied energy, swiftly and silently,--as if obliterating an unseemly action.*
>
> Isak Dinesen

Wherever possible, Dinesen's wording within her narratives has been paraphrased. It is her poignant descriptions, however, that best illustrate the dramatic conflict between the heroes and the villains within the narratives' fantasy themes. Hence, we chose to include some fairly lengthy quotes from Dinesen's autobiographies during this phase of the analysis so that a fuller picture of her style is available.

Four related aspects of unity figure prominently within the structure of Isak Dinesen's narratives. Two aspects are concerned with the unity Dinesen feels with both the African people and the country itself. The disunity of the European settlers is a third aspect, and Dinesen's relationship with Denys Finch Hatton represents the final aspect of unity. It is important to remember that Dinesen did not equate unity with equality. Unity is based on the bond between dissimilar people in which the individuals necessarily occupy different positions. Although Dinesen admired and identified with the Africans, her relationships with them never were based on equality; unity, not equality, is the essential component of an aristocrat's relationship with her servants.

Unity and Disunity with Africa

> *The grass was me, and the air, the distant invisible mountains were me, the tired oxen were me. I breathed with the slight night-wind in the thorn-trees.*
>
> Isak Dinesen

The first aspect of the fantasy theme of unity expresses Dinesen's unity with Africa in contrast to the disunity of the settlers. Throughout the narratives, Dinesen consistently represented herself as living in harmony with the African country, wildlife and culture. Dinesen's farm was "one with the African landscape, so that nobody could tell where the one stopped and the other began" (*OA*, p. 73). She shunned interactions with most settlers and "turned to the animal world from the world of men" (*OA*, p. 95). In fact, Dinesen wrote that she and her aristocratic English friends, Berkeley Cole and Denys Finch Hatton, "registered ourselves with the wild animals" (*SG*, p. 386).

Accordingly, Dinesen grieved over the changes in Africa, as well as over her own actions as an early, unenlightened settler. For example, during the first few years that Dinesen lived in Africa, she became an accomplished game hunter, a sport she later regretted: "It became to me an unreasonable thing, indeed in itself ugly or vulgar, for the sake of a few hours' excitement to put out a life that belonged in the great landscape" (*SG*, p. 409-410). In another instance, Dinesen described her regret over cutting down trees on her land for fuel for the factory's steam engine: "This forest, with the tall stems and the live green shadows in it had haunted me. I have not felt more sorry for anything I have done in my life, than for cutting it down" (*OA*, p. 310).

In contrast, the villains, in the form of the English Government, were aggressively destroying the African countryside. African tribes had been restricted to reservations, government game reserves were replacing the wild plains, safari hunters were driving the wild game deeper into the woods, and Dinesen's farm was eventually divided into residential plots and tennis courts for Nairobi businessmen. The European businessmen, operating from the motto, "Teach the Native to Want" (*SG*, p. 387), taught the Africans to evaluate their worth through their possessions. Dinesen lamented: "It is more than their land that you take away from the people, whose Native land you take. It is their past as well, their roots and their identity. If you take away the things that they have been used to see, and will be expecting to see, you may, in a way, as well take their eyes" (*OA*, p. 359). Although Dinesen did not explicitly accuse the settlers of any injustices, her descriptions of Africa's changes implicitly indicted the settlers' actions.

Unlike most settlers, Dinesen appreciated the African culture: "We white people, I reflected, were wrong when in our intercourse with the people of the ancient continent we forgot or ignored their past or did indeed decline to acknowledge that they had ever existed before their meeting us" (*SG*, p. 428). For example, the Government had prohibited the Kikuyu funeral custom of leaving the deceased above the ground for nature to deal with, and required the Kikuyu to bury their dead. Dinesen wrote that the Africans did not give up their custom willingly and, furthermore, she sympathized with them: "The custom had always appealed to me, I thought that it would be a pleasant thing to be laid out to the sun and the stars. . . to be made one with Nature and become a common component of a landscape" (*OA,* p. 326). Notice again the implicit use of antithesis in the statement. In this instance, use of the inclusive pronoun "we" in the first quote (i.e., "We white people") is a strategy to soften Dinesen's indictment of the settlers as well as establish her authority to critique them; she was also a white settler and was in a position to observe and ultimately judge the behavior of her own group. However, by identifying herself with the funeral custom of the Africans she simultaneously represented herself as the moral superior of the other settlers.

Finally, Dinesen recognized that European and African ideas of justice differed and was critical of the British government's imposition of their laws on the African people. For example, the government instituted a law requiring each individual African to carry a *Kipanda,* a passport that registered the person as an inhabitant of a specific reserve and these passports were needed to travel between reserves. Without being registered, an African woman or man was not a "lawful inhabitant" (*OA*, p. 129) in their own country. Another British law required the African squatters working on the plantations of white settlers to pay a hut-tax to the government; during the required 180 days of labor for the white owners, they earned 12 shillings every 30 days of labor and the tax was 12 shillings per hut. Dinesen complained that the tax was unfair, a "heavy burden on a man, who with very little else in the world would own two or three grass-huts" (*OA*, p. 358). And further, the money from the hut taxes paid for things the African people "would rather have done without: roads, railways, street lighting, police--and hospitals" (*SG*, p. 425). Consequently, the Africans were forced to "sit down under a law of relativity of which they did not understand a word" (*OA*, p. 99). Her indictment of the English is expressed indirectly through her compassion and identification with the treatment of the African people.

Dinesen also described the intolerance of the settlers over the Africans' reluctance to come to their mission hospitals for treatment. The clergy and British Government had built hospitals for the Africans. When they could not persuade the Africans to use their modern facilities, they became indignant, calling the Africans ungrateful cowards for clinging to their superstitions. In contrast, Dinesen identified with the Africans' fear of modern medicine and doctors: "The dark people. . . as the clever doctor. . . approached, may well have gone through the kind of agony which one will imagine a tree to be suffering at the approach of a zealous forester intending to pull up her roots for inspection" (*SG*, p. 429). By focusing on the fear of the Africans rather than the insensitivity of the white settlers, Dinesen's indictment of the settlers is subtle and consequently more acceptable to the largely white population that would buy her book.

Unity with Africans

So it is luck that I feel for the Somalis and the Natives like brothers.
Isak Dinesen

The most prominent aspect of the fantasy theme of unity is found in Dinesen's descriptions of her daily interactions with the Africans. Indeed, the focus of Dinesen's books are the Africans with whom she worked and lived on the farm. Even her elite English friends, Cole and Finch Hatton, play very minor roles in Dinesen's autobiographies. Parallelism is the primary rhetorical strategy Dinesen used to articulate the unity between herself and the Africans.

Farah and Kamante are the Africans described most frequently by Dinesen. Kamante came to work as Dinesen's cook after she took him to the Mission hospital to have his diseased leg treated. When Kamante returned to her farm "he took it for granted that now he belonged there" (*OA*, p. 30). She admired Kamante, who had "all the attributes of genius" (*OA*, p. 34) and the "arrogant greatness of soul of the real dwarf, who, when he finds himself at a difference with the whole world, holds the world to be crooked" (*OA*, p. 31). Dinesen wrote that she and Kamante shared "true human understanding" (*OA*, p. 48) and consequently she gained a "great perspective" (*OA*, p. 35) working with Kamante: "From the day when he came into my service and attached his fate to mine. . . . he laid himself out to guide my great ignorance" (*OA*, pp. 36, 33).

Similarly, Farah was an integral part of Dinesen's life, supervising the daily activities of the farm as well as the farm's financial operations. He was also her friend: "I talked to him about my worries as about my successes, and he knew of all that I did or thought" (*SG*, p. 377). Dinesen believed that she and Farah had the necessary dissimilarities to form an ideal unity: sex, race, religion, experience and environment. According to Dinesen, she and Farah formed a unspoken covenant, and for the years she was in Africa Farah took "possession" (*SG*, p. 387) of Dinesen and her farm. When she left Farah behind in Africa, Dinesen "felt as if I were losing a part of myself, as if I were having my right hand set off, and from now on would never again ride a horse or shoot with a rifle, nor be able to write otherwise than with my left hand. Neither have I since then ridden or shot" (*SG*, p. 377).

Although many of the settlers did not like the Masai because they refused to work for the white settlers, Dinesen was on friendly terms with this tribe and admired their strong sense of pride. Dinesen identified with the tribe's sorrow over the changes forced upon them by the white settlers:

> From the farm, the tragic fate of the disappearing Masai tribe on the other side of the river could be followed from year to year. They were fighters who had been stopped fighting, a dying lion with his claws clipped, a castrated nation. Their spears had been taken from them, their big dashing shields even. . . . Once, on the farm, I had three young bulls transmuted into peaceful bullocks for my ploughs and waggons [sic], and afterwards shut up in the factory yard. There in the night the Hyenas smelled the blood and came up and killed them. This, I thought, was the fate of the Masai. (*OA*, p. 126).

The use of metaphor in this example is a powerful rhetorical strategy to articulate both the injustices the Africans endured at the hands of the settlers and the disunity of the white settlers with the Africans. The settlers were out to do to the Masai what Dinesen had done to the bulls: emasculate them, rob them of their freedom and country, and turn them into domesticated animals. That Dinesen felt a sense of unity with the Masai, and the Africans generally, can be seen in the following statement from *Out of Africa:* "All the time I felt the silent overshadowed existence of the Natives running parallel with my own, on a different plane. Echoes went from the one to the other" (*OA*, p. 20).

When the farm was sold, both Dinesen and the Africans living there were faced with the reality of losing their homes. During the last few months she lived in Africa, Dinesen experienced an even stronger bond between her and the Africans as a result of their respective losses: "We felt, I believe, up to the very last, a strange comfort and relief in each other's company. The understanding between us lay deeper than all reason. . . . In the night, I counted the hours till the time when the Kikuyus should turn up again by the house" (*OA*, p. 319). In this example, the use of the pronoun "we" functions to demonstrate the unity that existed between Dinesen and the Africans living on her farm.

The supporting players, Berkeley Cole and Denys Finch Hatton, also were at harmony with the Africans. For example, Dinesen wrote that Berkeley Cole was an "intimate with the Masai" (*OA*, p. 211). Dinesen admired Cole's relationship with the Masai, writing:

> He had known them before the European civilization,--which in the depths of their hearts they loathed more than anything else in the world,--cut through their roots; before they were moved from their fair North country. He could speak with them of the old days in their own tongue. (*OA*, p. 211).

Dinesen's unique use of antithesis is again evident in this statement. Africans had heart and roots and passion, whereas the Europeans by implication were heartless, rootless, and dispassionate. The Africans' pain and loss are foregrounded, while the indictment of the European colonialists remains implicit within the narratives.

Whether Dinesen was writing about her unity with the country or the African people, she relied on a subtle use of antithesis to represent herself simultaneously as the champion of the black race and the European settlers as their oppressors. This unique use of antithesis was an effective rhetorical strategy in that it allowed more people to participate in Dinesen's rhetorical vision.

Unity with Denys Finch Hatton

It is seldom that one meets someone [Denys] one is immediately in sympathy with and gets along so well with, and what a marvelous thing talent and intelligence is.

Isak Dinesen

The final aspect of the fantasy theme of unity deals with Dinesen's relationship with Denys Finch Hatton. As previously mentioned, Dinesen devoted very little space to Finch Hatton in her autobiographies; however, in all of her descriptions of Finch Hatton, the underlying theme is their unity. Dinesen represented their relationship primarily through describing the activities they shared such as lion hunts and airplane flights over Africa. For example, after killing two lions with Finch Hatton, Dinesen wrote that the shots from their rifles were their declarations of love for each other and, "In our hunt we had been a unity" (*OA*, p. 228). Moreover, Dinesen explained that often she and Denys would return from their separate lion hunts without spotting a single lion but when they hunted together, "the lions of the plains would be about, as in attendance" (*OA*, p. 219). Thus, what they could not accomplish individually, they could accomplish together.

The unity Dinesen described with Finch Hatton varies from her expressed unity with the African people. Her unity with the Africans was based on many dissimilarities such as those involving race, religion, culture, experience, and sex, and the master/servant relationship with its inherent class distinction. But Dinesen considered Denys her intellectual and social equal; she and Finch Hatton were a perfect unity by virtue of being a man and a woman. She was neither passive nor dependent, but was an active, equal participant in her interactions with Finch Hatton, even in the traditionally male-dominated activities of safaris, game shooting and flying. She wrote: "He fell in naturally with my scheme of leaving things to themselves, and other people to think and say what they liked" (*OA*, p. 330). She identified with his sense of adventure, appreciation of the arts as well as the ideals of the aristocracy he embodied. In contrast to the traditional stereotype of a woman ignoring her needs and goals in order to trap a man (Mellen, 1973), Finch Hatton was appealing to Dinesen because he satisfied *her* needs and goals. Importantly, there is no hint in Dinesen's narratives of any dependence on Finch Hatton or any other man.

From the foregoing it appears that unity is the dominant fantasy theme within Dinesen's narratives. The next two fantasy themes, dependence and acceptance, were less prevalent in the narratives but no less important to the overall rhetorical visions of the autobiographies. The fantasy theme of dependence, consequently, becomes the next focus of analysis.

Fantasy Theme of Dependence

All the same, they looked to me for help and support, and did not, in a single case, attempt to arrange their future for themselves.
Isak Dinesen

Two related aspects of dependence are evidenced in the narratives: the Africans' dependence on Dinesen, and her subsequent role as their protector. The representation of the Africans' dependence upon Dinesen functions to construct a corresponding image of Dinesen as a strong, independent woman. She was their teacher, reading to them and later building a school to teach them to read. She shot wild game and birds to feed her farm laborers and the servants who accompanied her on safaris. Other times the Masai would ask her to shoot lions that were killing their cows. She was their doctor, treating their wounds and illnesses every morning, and taking them to the mission hospitals when her cures failed. The Africans made her the "chief-mourner" (*OA*, p. 103) during times of distress, and they came to her to settle their various disputes. Dinesen wrote that they so depended on her verdicts in these disputes that if she refused to participate in a judgment, "my audience took it as a hard blow from the hand of destiny" (*OA*, p. 96).

Over time, Dinesen wrote that she became a symbol of Christianity for the Africans. She wrote that "white men fill in the mind of the Natives the place that is, in the mind of the white men, filled by the idea of God" (*OA*, p. 358). For example, when Kamante returned to her home from his stay at the mission hospital he announced to Dinesen that his conversion to Christianity meant that "I am like you" (*OA*, p. 29). She confided, however, that it was "an alarming experience to be, in your person" (*OA*, p. 49) the Africans' representative of Christianity. Indeed, JanMohamed (1983) argued that Dinesen's position as leader to the Africans led to her sense of omnipotence and her view of herself as a god for her African servants.

Perhaps the ultimate sign of Dinesen's role as protector and the Africans' dependence upon her in this role was her fight to secure land for them after her farm was sold. The government was prepared to assign the squatters to reserves but they would not be able to stay together. The Africans begged Dinesen to help them:

> They looked to me for help and support. . . . They tried their very best to make me stay on. . . . At the time when the sale of the farm was through, they came and sat round my house from the early morning till night . . . just to follow my movements. There is a paradoxical moment in the relation between the leader and the followers: that they should see every weakness and failing in him so clearly, and be capable of judging him with such unbiased accuracy, and yet should still inevitably turn to him. (*OA*, p. 318).

Dinesen wrote that although the Government officials scoffed at the importance of providing enough land to keep the squatters together, she "bore in mind that not very long ago, at a time that could still be remembered, the Natives of the country had held their land undisputed, and had never heard of the white men and their laws" (*OA*, p. 361). And so Dinesen began her "beggar's journey" (*OA*, p. 360) to secure land for the displaced Kikuyus. After several months and several setbacks, during which Dinesen was "washed in and out as by the tide" (*OA*, p. 360) from one Government Office to another, the new governor of the colony granted her request and set aside a piece of land in the Dagoretti Forest Reserve that was large enough for all the squatters' families and their cattle. Afterwards Dinesen wrote that "the settlement of the squatters' fate was a great appeasement for me. I have not often felt so contented" (*OA*, p. 362).

Describing the Africans' dependency on her was rhetorically strategic in two respects. First, her descriptions of protecting the Africans conveyed Dinesen's sense of justice and compassion for the disenfranchised African people; they depended on her because she alone cared about their well-being. Second, as the protector of the Africans, Dinesen is represented as a woman of strength, determination and independence. Her ability to provide for the African people in the face of many obstacles and adversaries is evidence of her strength as an independent woman. The final fantasy theme identified in the narratives of *Out of Africa* and *Shadows on the Grass* is acceptance, and it is to this theme that the following section will turn.

Fantasy Theme of Acceptance

As the good citizen finds his happiness in the fulfillment of his duty to the community, so does the proud man find his happiness in the fulfillment of his fate.
Isak Dinesen

The third fantasy theme of acceptance represents Dinesen's admiration for and adoption of the Islamic religion's fatalistic view toward life. Noting that the word "Islam" means submission, Dinesen wrote that "you cannot live for a long time among Mohammedans without your own view of life being in some way influenced by theirs" (*SG*, p. 392). Her narratives included many examples describing the superiority of this fatalistic approach to life as well as the consequences for fighting destiny. For instance, when Farah received word that half of his camels had died during a drought, he simply said, "God is great" (*SG*, p. 395). Similarly, after Dinesen told Farah that Finch Hatton had been killed in the plane crash he again responded, "God is great" (*SG*, p. 395). This creed of acceptance did not include the idea of predestination; rather, the Africans accepted, without reluctance or regret, the events of their lives because they were confident that whatever happened, happened for the best. Consequently, the Africans did not fear or fight against the future:

> Here they differ from the white men, of whom the majority strive to insure themselves against the unknown and the assaults of fate. The Negro is on friendly terms with destiny. . . . He faces any change in life with great calm. . . . There are things which can be done and others which cannot be done, and they fell in with the law, accepting what came with a kind of aloof humility--or pride. (*OA*, p. 22; *SG*, p. 416).

Dinesen used the Islamic's creed of acceptance to explain her loss of the farm. After the farm was sold, she remained for a few months to oversee the last coffee harvest. Although the farm was no longer hers, she wrote that she never believed she would actually have to leave Africa. When she could no longer ignore the reality of the end of her life in Africa, Dinesen searched for a sign, some underlying principle to explain the tragedies in her life. She found the sign on the farm. One morning she watched a rooster leave one of the squatter's huts and approach a small Chameleon:

> He [Chameleon] was frightened, but he was at the same time very brave, he planted his feet in the ground, opened his mouth as wide as he possibly could, and to scare his enemy, in a flash he shot out his club-shaped tongue at the cock. The cock stood for a second as if taken aback, then swiftly and determinately he struck down his beak like a hammer and plucked out the Chameleon's tongue. . . . Now I chased off Fathima's cock, took up a big stone and killed the Chameleon, for he could not live without his tongue. (*OA*, p. 354).

Dinesen considered this incident her spiritual answer: "I had ventured to believe that efforts of mine might defeat destiny. It was brought home to me how deeply I had been mistaken. . . . whatever I took on was destined to end up in failure. . . . Great powers had laughed to me" (*SG*, p. 432; *OA*, p. 354). Finally, Dinesen wrote that as she began to come to terms with her fate, she was able to accept that her work, her purpose in the country was over and it was time to leave: ". . . I myself was the lightest thing of all, for fate to get rid of" (*OA*, p. 363).

Fantasy Theme Analysis of Film

For film purposes, it seemed to Kurt and me that. . . invention was much more economical than the facts and dramatically much better.
Sydney Pollack

Throughout this paper, Karen Blixen has been identified by her pseudonym, Isak Dinesen. Since her married name of Karen Blixen was used in the film, for the purpose of clarity we also will use Dinesen's married name during the following discussion. Whenever possible, the dialogue cited in this section was taken directly from the published screenplay of "Out of Africa" (Luedtke & Pollack, 1987); however, a great deal of the dialogue was changed during filming and quotes from these scenes were taken from the videotape of "Out of Africa." Page numbers are listed for those sections cited from the screenplay. Finally, two Indian words are used in the film's dialogue to address Blixen: Msabu and Memsaab. Both words were used by the Africans when they spoke to white women.

Three fantasy themes emerged during the analysis of "Out of Africa": unity, dependence, and acceptance. Although these themes appear identical to those explicated in the autobiographies, the substance of the fantasy themes in the texts of the autobiographies and the film are contradictory. For example, antithesis is again the dominant rhetorical strategy used within the narratives to represent the conflict between the heroes and the villains. This time, however, the narratives are constructed around the conflict between Denys Finch Hatton and Karen Blixen. By using scenes in which Finch Hatton is critical of Blixen's efforts to change and subsequently possess both Africa and the African people, the film represents Finch Hatton as the moral opposite, and importantly, the moral superior to Blixen. This conflict represents a complete reversal from the autobiographies' representation of Finch Hatton and Blixen. As will become evident during this examination of the film, the characteristics and values Blixen assigned to herself in her autobiographies have been transferred in the film to the character of Denys Finch Hatton. Before moving to the discussion of the fantasy themes, the related themes of setting, character and action identified in the movie will be described in order to provide context for the fantasy themes.

Setting Themes

The film has two overlapping settings of Africa and Blixen's farm. The African country is the foreground setting and throughout the film wide shots of the vast African countryside and wildlife are included to establish the tone of the foreground setting as open and unrestricted. That the foreground setting of Africa represents freedom can be safely inferred from these exotic scenes. The present setting, which was identified as Blixen's farm, represents the contrasting images of confinement and disunity. Rather than fitting with the openness and freedom of the African landscape, Blixen's farm is equated with her disunity with the country. For example, in one scene, Denys looks around the interior of Blixen's house during his first visit to her farm and critically observes: "Isn't this England. . . Excuse me, Denmark?" to which Blixen retorts, "I like my things" (Luedtke & Pollack, 1987, p. 39). This scene, in contrast to the autobiographies, implies both that Blixen does not see Africa as her true home and that she feels no connection to or unity with the country or its people.

Character Themes

The character themes again are represented through heroes and villains but the characters occupying these roles are different from the autobiographies. This time the hero is Finch Hatton. All the qualities Karen Blixen ascribed to herself in the books have been transferred to Denys Finch Hatton in Pollack's version of "Out of Africa." The Europeans settlers who want to change Africa and its native inhabitants are still the villains, but in the film text Karen Blixen is represented as one of the white settlers who have no sense of unity with the country and desire instead to civilize the Africans. In fact, the only clear villain in the film is Blixen, as other settlers have only minor roles. Karen Blixen consistently is represented as possessive, acquisitive, promoting change, and dependent on men.

Antithesis is the dominant rhetorical strategy used within the narratives to represent the conflict between Finch Hatton and Blixen. Throughout the movie, Finch Hatton is represented as fitting with Africa and its people in contrast to Blixen's efforts to change both the people and the country. By constructing narratives around Finch Hatton's criticism of Blixen's behavior, the film demonstrates the opposing values and behaviors of the heroes and villains, and simultaneously represents Finch Hatton as the hero and Blixen as the villain. In the movie Finch Hatton is the character who rejects colonialism and wants to preserve an untamed Africa.

In contrast to the autobiographies, no secondary heroes (i.e., supporting players) are prominent in the movie. Significantly, the Africans themselves as well as their struggles with colonialism have been relegated to the background. Although the narratives illustrate Finch Hatton's disdain for the changes in the country and people, there is virtually no interaction between him and the African people. Further, most of Finch Hatton's concern is expressed as concern for the changes in the country rather than concern for the African people. Even Finch Hatton's friend, Berkeley Cole, is suspect because he supports the war effort which Finch Hatton believes will forever change the country. The film's drama, then, centers fundamentally on the heroic figure of Finch Hatton.

Action Themes

The action themes identified in the movie are the same as those found in the autobiographies; the villains' behaviors represent their disunity with Africa while the behaviors of the sole hero demonstrates his unity with the country. The dramatic conflict in the film, however, is between Finch Hatton and Blixen. The plotlines throughout the movie function to represent Finch Hatton's desire to preserve the freedom of Africa in contrast to Blixen's attempts to possess and tame both the country and the people.

The sanctioning agent was identified as freedom; it is Finch Hatton's definition of freedom that justifies the rhetorical drama of the movie. For example, Finch Hatton warns Blixen that she can't own the country or the people: "We're not owners here, Karen, we're just passing through" (Luedtke & Pollack, 1987, p. 157). What is obscured in the film's favorable portrait of Finch Hatton's elusive, independent behavior, however, is that his definition of freedom precluded any consciousness of guilt and consequently freed him from all moral culpability (Pelensky, 1991; Trzebinski, 1977).

The three fantasy themes that emerged from these setting, character and action themes, unity, dependence, and acceptance, are diametrically opposed to the same themes identified in the autobiographies. Through the film's representation of Finch Hatton as both the moral opposite and moral superior to Blixen, the substance of the film's fantasy themes have been recast. Descriptions of the contradictory representations of these themes in the film are provided next.

Fantasy Theme of Unity

The idea of possession seemed to be organic. . . . Freedom versus obligation.

Sydney Pollack

Three related aspects of unity are embedded in the narrative structure of "Out of Africa." The first two aspects are concerned with Finch Hatton's unity with Africa and Africans in contrast to Karen Blixen's disunity. Blixen's disunity with Finch Hatton represents the third aspect of unity. The antithetical conflict is articulated through narratives that represent Blixen in the role of the *possessor* of Africa in contrast to Finch Hatton's role as Africa's *protector*. Recasting a fantasy theme can turn a hero into a villain (Rybacki & Rybacki, 1991) and this is precisely what happens in Pollack's version of "Out of Africa."

Throughout the film's narratives, Finch Hatton is represented as being in harmony with the African country, wildlife and culture. Blixen, however, attempts to take the land and the people into her possession, making them adapt to her demands and desires. In one instance, Blixen has decided to build a pond on the farm, and this scene shows Karen describing her plans to Farah:

Karen: Now, if you put a dam here to stop the water, then I can make a pond. Do you know how to make a pond?
Denys: Msabu; this water must go home to Mombasa.
Karen: Yes, it will go home later. After we make a pond.
Farah: Msabu; this water lives at Mombasa.

Karen exhibits no respect for the needs of the country or the cultural beliefs of its native inhabitants. She is represented as selfish, caring only about her own comfort and feeling no connection with Africa. This scene from the film distorts information from the autobiographies in order to dramatize Pollack's view of Blixen as possessive and out of touch with Africa. In her autobiography, Blixen wrote that she had built several ponds on the farm, with one pond reaching seven feet in depth. Rather than disrupting the countryside, Blixen wrote, the ponds provided water for the animals during the long dry season and consequently became an important part of the farm. And although Blixen wrote that she had trouble with the ponds after long rains, she apparently never lost a pond to the African rains (*OA*, p. 185-186).

In another scene, Karen, attired in expensive riding clothes, has ridden her horse into the plains. While she is kneeling on the ground scanning the landscape with a pair of binoculars, a lioness approaches her. Although Blixen brought a rifle along, she left it on the horse. Fortunately, Berkeley Cole and Finch Hatton had stopped by the farm to visit Blixen. After finding her gone, Finch Hatton rode out to find her and arrives just as the lion is approaching Blixen:

Denys: I wouldn't run. If you do, she'll think you're something good to eat.
Karen: Do you have a gun?
Denys: She won't like the smell of you.
Karen: Shoot it.
Denys: She's had her breakfast.
Karen: Please, shoot her.
Denys: No, let's give her a moment.
Karen: Oh my God, shoot her!

Finch Hatton predicted the lioness' behavior correctly and the animal turns and ambles off. Karen walks toward Denys and angrily says:

Karen: Just how much closer did you expect to let her come?
Denys: A bit. She wanted to see if you'd run. That's how they decide. A lot like people that way.
Karen: She almost had me for lunch.
Denys: Well, it wasn't her fault, Baroness, she's a lion.
Karen: Well, it wasn't mine!
Denys: Doesn't that outfit come with a rifle.
Karen: It's. . . on my saddle.
Denys: Better keep it with you. Your horse isn't much of a shot.

Later, Karen asks Denys if he saved her life and he responds simply, "No, the lioness did that. She walked away." This scene typifies how the narratives are structured to juxtapose Finch Hatton's unity and Blixen's disunity with the African country. Not only did he understand the lioness' behavior but he also was unwilling to shoot the animal unnecessarily. Further, Finch Hatton knew better than to walk around the plains without a rifle for protection. In contrast, Blixen has taken care to dress properly but has left her rifle on her horse. Thus, she is represented as an arrogant white settler, with no sense of responsibility for her role in the incident. This representation stands in sharp contrast to Blixen's descriptions of the "unity" (*OA*, p. 228) she and Finch Hatton experienced in their lion hunts.

Neither does the film portray Blixen's understanding of the African people. An implicit example of her disunity with the Africans is found in Blixen's first meeting with Chief Kinanjui. Blixen begins speaking to Kinanjui in English and arrogantly ignores Farah's attempts to help her:

Karen:	Chief Kinanjui, I heard that you are a wise chief and --
Farah:	Msabu--
Karen:	Farah, not now, please--and I look forward to our dealings. Your Kikuyu are good workers and I look forward to dealing with them honestly and fairly...
Farah:	Msabu, this Chief has no British.
Karen:	Well, tell him I am Baroness Blixen and--
Farah:	This chief knows that, msabu.

Further, her expensive attire stands in sharp contrast to the loin cloths and animal skins of the Kikuyus. The underlying message of this scene is Blixen's disconnectedness with the African people and her unity with other European settlers who are unable to relate to the African people. Significantly, not only is this depiction of Blixen diametrically opposed to her expressions of self in the autobiographies, but it is also a clear misrepresentation of a historical fact; it was Chief Kinanjui who paid the visit to Blixen's farm with a promise that his Kikuyu would provide the necessary manpower for the coffee farm (Thurman, 1982).

In contrast with the autobiographies, Blixen attempts to civilize her servants in the film. In an early scene, Karen puts white gloves on Juma, one of her house servants. Viewers see a confused Juma staring at his gloved hands. In a later scene, Juma is serving wine to Blixen and her dinner guests, Berkeley Cole and Finch Hatton, and he drops the bottle of wine. Juma looks apologetically at Blixen, but she has turned away from Juma, trying to ignore his clumsiness. In contrast, Finch Hatton watches with wry amusement for the European woman who would impose something as effete as white cotton gloves on an African.

Rather than trying to change the African people, Finch Hatton admires the sense of freedom inherent in a primitive culture. For example, during their trip in search of a camp for Finch Hatton's tourist safaris, he mentions Kanuthia, his servant who has died:

> Karen: I remember him. There was something. . .
>
> Denys: Masai, he was half Masai. That's what you remember about him. They're like nobody else. We think we'll tame them, but we won't. If you put them in prison, they die.
>
> Karen: Why?
>
> Denys: Because they live now. They don't think about the future. They can't grasp the idea that they'll be let out one day. They think it's permanent, so they die. They're the only ones out here that don't care about us--and that is what will finish them.

Several disturbing issues surround this interaction. First, Finch Hatton's description of the Masai tribe echoes Blixen's poignant description of the "tragic fate of the disappearing Masai tribe" (*OA*, p. 126) cited earlier. However, the compassion Blixen expressed for the Masai in her autobiography now is spoken by the voice of Finch Hatton. Second, in her autobiographies Blixen wrote about learning that the Masai people could not survive being imprisoned, but it was Farah who explained this phenomenon to her, not Finch Hatton. Consequently, not only has the female voice been replaced by the male's, but the white male's voice has silenced the voice of the black male. Further, Kanuthia was a Kikuyu, not a Masai, and he didn't die fighting in the war. In fact, he is one of Finch Hatton's servants who came to Blixen's farm to visit Finch Hatton's grave.

One of the most explicit examples of the use of antithesis within the film's narratives to express their respective unity and disunity with the African people is found the scene in which Blixen and Finch Hatton are dancing at a New Year's Eve celebration in Nairobi. Denys disapproves of what he considers to be Karen's uninformed and unilateral decision that the Africans need to learn English:

> Denys: When they say they'd like to read, how did they put that, exactly? I mean, do they *know* they'd like Dickens?

Karen: You don't think they should learn to read?

Denys: I think you might have asked them.

Karen: Did you ask to learn when you were a child? How can stories possibly harm them?

Denys: They have their own stories, they're just not written down.

Karen: And what stake do you have in keeping them ignorant?

Denys: They're not ignorant. I just don't think they should be turned into little Englishmen--You do like to change things don't you?

Karen: For the better I hope. I want my Kikuyu to learn to read.

Denys: *My* Kikuyu, *my* Limoges, my farm--it's an awful lot to own isn't it?

Karen: I've paid a price for everything I own.

Denys: And what exactly is it that's yours? We're not owners here, Karen, we're just passing through.

Once again, the dramatic conflict between Finch Hatton and Blixen is articulated through the antithetical structure of the narrative. Indeed, an immediately preceding scene in the film had illustrated Blixen's disregard for the Africans when she made her decision to require the children to attend her school. This scene shows Chief Kinanjui coming to the grass hut in which the school is held to express his dissatisfaction with educating his people. Kinanjui picks up a machete and cuts a notch about three feet above the ground into a corner post of the hut. He then turns to Blixen and speaks to her angrily in Swahili so that Farah must translate:

Farah: This chief says children higher than this [notch on post] must not learn to read.

Karen: Tell him *all* the children must go to school.

Farah: No, msabu. This is a chief. You are not a chief.

Karen: That's absurd.

Farah: It is not good for tall people to know more than this chief. (Luedtke & Pollack, 1987, pp. 77-78).

Blixen again is depicted as a villain, forcing her will on the African people without any sensitivity to their culture. Her farm is equated with change and violation of individual freedom. Further, Finch Hatton not only was sensitive to the Africans' culture, but also is represented as trying to enlighten Blixen's imperialistic attitudes. This representation of Blixen as Finch Hatton's moral inferior is no accident. In fact, the scene between Blixen and Finch Hatton cited above was much shorter and less antithetical in the original screenplay but was rewritten a week before the scene was shot. Pollack (Luedtke & Pollack, 1987) stated that a longer version of this scene was written for two reasons. First, he wanted a clear confrontation between Finch Hatton and Blixen, apparently without regard for the historical accuracy of the scene. Second, and most important for this analysis, Pollack said: "This seemed a perfect opportunity to speak directly to the armature of 'possession,' to entrench these people clearly on opposite sides of this thematic argument" (Luedtke & Pollack, p. 157). However, in her autobiographies, it is Blixen who disapproves of the British settlers' attempts to turn the Africans into little Englishmen. And apparently Finch Hatton had no moral objection to Karen's wishes to educate the Africans, but instead made jokes about "the-great-keep-it-dark Continent" (Trzebinski, 1977, p. 58). In the film, Blixen has been changed from a hero to a villain by transferring the moral attitudes and values through which Blixen represented herself in her books to Finch Hatton's character, which consequently recasts the rhetorical vision of the film version of *Out of Africa*.

The film's foregrounding of Blixen's possessiveness is no accident, as Pollack chose possession as the "spine" (Luedtke & Pollack (1987, p. ix) that would dramatize his film version of Blixen's life. He recalled:

> The idea of possession seemed to be organic to both the foreground story of Karen's relationships and the background story of colonialism. It seemed to knit together her relationships with the Africans as well as with her husband and her lover. It became an important track for us [Luedtke & Pollack] to follow and led us to dramatize her attempts at 'possession' with her pond and dam, her china, her attempts to make Europe out of Africa. By contrast, it gave Finch Hatton a clear conflict with her. (Luedtek & Pollack, p. x).

Consequently, the oneness and connectedness with Africa and the African people that forms the basis for Pollack's representation of Finch Hatton's character in the film is precisely how Blixen represents herself in *Out of Africa* (Schow, 1986).

In the end, Blixen pays an enormous price for her disunity with the country as she loses the farm. By positioning the fire of her factory immediately after Finch Hatton has left the farm over Blixen's increasing possessiveness, the fire is equated with her disunity with the country. However, this fire never happened. Several years prior to selling her farm, Blixen did lose her factory to a fire, but it was covered by insurance and rebuilt. Further, it was only a grass fire that originally brought Kamante into her bedroom to warn Blixen that "I think that God is coming" (*OA*, p. 39). There were in fact many reasons for the final failure of the farm, including droughts, grasshoppers, falling coffee-prices, low capital, and a cool climate. However, the fire has been recreated within the film's narratives both as the primary reason for the farm's sale and Blixen's punishment for trying to possess the country. Moreover, the film implies that Finch Hatton, as the protector, had protected the farm from calamity before his departure.

The fact that Denys Finch Hatton hunted and killed the African animals for his livelihood seems to contravene his unity with the country. However, the consequences of his actions are downplayed in the movie. By foregrounding Finch Hatton's disunity with the other settlers as well as with Blixen, his participation in the destruction of Africa's wildlife is overshadowed by his apparent compassion for the country. Furthermore, Finch Hatton is depicted as morally superior to Blixen in the film (Kipnis, 1989). In contrast to the autobiographies, in the film it is Finch Hatton who is critical of the settlers' imperialistic attitudes and behavior and sympathetic to the African people and their struggles. Consequently, the oneness and connectedness that formed the basis for Blixen's representation of herself in *Out of Africa* and *Shadows on the Grass* are precisely the attributes Pollack assigns to Finch Hatton in the film.

It is only after Blixen is faced with losing both Denys and the farm, that the film hints at Blixen's possible unity with Africa. For example, after Finch Hatton has moved from the farm, Blixen is shown dealing with various government officials trying to secure land for her tenant farmers. In a following scene, Blixen gets on her knees in front of a crowd of European settlers to beg the new governor of the colony, Sir Joseph, for the Africans' land. The implication, however, is that only through losing her possessions could Blixen recognize her selfishness and subsequently see Africa through Finch Hatton's eyes rather than her own.

As further evidence that Blixen has repented and accepted Finch Hatton's advice, Blixen later is shown sitting on the packed crates in her empty house. As Denys watches, she removes the white gloves from Juma's hands and says: "This wasn't a very good idea" (Luedtke & Pollack, 1987, p. 144). This gesture symbolizes her repentance, her willingness to let go of her possessive nature, and it also signifies that Finch Hatton had been right all along.

A related aspect of unity is expressed through Finch Hatton's relationship with Blixen. Rather than being equal partners, Finch Hatton assumes the dominant role in their relationship. Blixen is "constantly undercut, ridiculed, instructed and put in her place" (Kipnis, 1989, p. 45) by Finch Hatton in the film. He informs Blixen about the customs and needs of the Africans; he teaches her to hunt; he saves her from lions; he comes and goes from her farm according to his wishes; he refuses to make a permanent commitment; and ultimately it is through Finch Hatton that Blixen recognizes the futility of her attempts to possess and change Africa. After she has lost the farm and been forced to sell all of her most valued possessions, Blixen acknowledges Denys' moral superiority: "You were right you know, the farm never did belong to me."

Fantasy Theme of Dependence

We were unable, with one exception, to lift passages from the book intact and use them in the film. This forced us to come up with a "voice" for Karen that was constructed especially for the film.

Sydney Pollack

In contrast to the fantasy themes within *Out of Africa* and *Shadows on the Grass*, dependence is the prevailing fantasy theme in the film. Two related aspects of the fantasy theme of dependence are embedded in the film's narrative structure: Blixen's dependence on men, especially Finch Hatton, and his subsequent role as her protector. Just as the representation of the Africans' dependence upon Blixen in her autobiographies functioned to construct a corresponding image of Blixen as a strong, independent woman, foregrounding Blixen's dependence on Finch Hatton in the film's narratives creates a corresponding image of Finch Hatton's strength, particularly in his role as her protector. Significantly, the fantasy theme of dependence has been recast in the movie. Blixen is no longer the protector; that role instead is enacted by Finch Hatton. Accordingly, the patriarchal ideals of male independence and dominance and female dependence and submission underlie this representation of the fantasy theme of dependence. The dominant rhetorical strategy used to articulate Blixen's dependence for viewers is the construction of narratives that foreground her obsession with owning both things and people, an image diametrically opposed to the image Finch Hatton's character represents. Thus, her role as the *protector* has been recast into the role of a *possessor*.

Finch Hatton's role as Blixen's protector is emphasized throughout the movie, but her dependence on male protection begins long before her involvement with Finch Hatton; it starts with the opening lines of the movie. The movie begins with brief shots of the African landscape at sunset and then the camera moves to show an elderly Blixen in bed, apparently dreaming. As Blixen's monologue begins, viewers see shots of Blixen with Finch Hatton in Africa. Importantly, it is Blixen's first words that establish her relationship with Finch Hatton as the primary focus of the film:

Karen:	He even took the gramophone on safari. . . three rifles, supplies for a month . . . and Mozart. He started our friendship with a gift. And later, not long before Tsavo, he gave me another, an incredible gift: a glimpse of the world through God's eye! And I thought: yes, I see . . . this is the way it was intended. I've written about all the others, not because I love them less, but because they were clearer . . . easier. He was waiting for me there.

Compare these opening lines to the first sentence of *Out of Africa:* "I had a farm in Africa, at the foot of the Ngong Hills." In that opening sentence, Blixen set the focus of her autobiography as the country of Africa. In contrast, viewers immediately are informed that Blixen's relationship with a man will be the central theme of the movie. Further, although Blixen did not meet Finch Hatton until a few years after her move to Africa, in the film Finch Hatton is the first person she meets in Africa. In this way he becomes the gateway to her experiences of Africa. The key phase in the opening monologue that sets the tone for the film is: "He was waiting for me there." Africa, too, was waiting for her, but it pales in comparison with Finch Hatton. Men, not Africa, will be the focus of the movie.

The next scene shows Blixen at a pheasant shoot with many expensively dressed women and men. After being shunned by Hans Blixen, the twin brother of her future husband, Bror, Karen turns and angrily walks away. She is crying and walks past Bror, who follows her:

Bror:	Tanne! Tanne! Oh, come on: It's not as though you loved him --you'd like to be a baroness, that's all.
Karen:	He *lied* to me.
Bror:	Of course! Would you be in bed with him otherwise? My brother is only dull, not stupid.

Two issues related to Blixen's dependence are established in these opening scenes. First, she has been discarded by a man and the narrative implies that she naively had assumed their intimacy could be equated with a declaration of commitment.

Second, the scene sets the tone for Blixen's role as possessor in the movie; she wants to acquire an aristocratic title. The next scene further reinforces her possessor persona when Blixen asks Bror to marry her:

> Karen: *You* could marry me.
> Bror: I have to marry a virgin. I can't stand criticism.
> Karen: For the money, I mean.
> Bror: Probably.
> Karen: Bror, listen to me. I've got no life at all. They wouldn't teach me anything useful--and now I've failed to marry. You know the punishment for that: 'Miss Dinesen's at home.'

Not only does the above interaction further establish Blixen's role as possessor as it implies she's willing to buy a husband, but it also sets the foundation for her dependence on men that will continue to be an underlying theme throughout the movie. Without a husband, she "has no life at all." Thus, Pollack's version of Karen Blixen's life begins with a firm entrenchment in the patriarchal ideal of female dependence on men.

Pollack's version of her life, however, transposed the facts. According to biographers (Thurman, 1982; Trzebinski, 1977), it was Bror who pursued Karen and pressured her for marriage. In fact, Bror proposed several times before she finally accepted his offer of marriage (Pelensky, 1991; Thurman; Trzebinski). Karen Blixen may indeed have married Bror in order to possess the title of a baroness but what is important for this analysis is the reversal of the female and male roles, a reversal that results in an image of female dependence and male independence. It is important to remember that although Blixen specifically mentions Bror only twice in her autobiography, and even then she does not use his name, referring only to "my husband" (*OA*, pp. 255-256), Pollack has made their relationship a central focus of the early scenes of the movie. The above example represents only one of many times that reversing the female and male roles within the film works to perpetuate the image of Karen as dependent on men.

The ultimate affront to her worth as a woman and a wife is yet to come. During the war, Karen leads a supply safari to her husband's camp on Lake Natron. When she arrives at his camp, Bror reprimands her for bringing the supplies herself rather than sending them with a man, another reminder of male strength and feminine weakness. When Bror admits to Karen that she will have to maintain the farm as well as their marriage without any help from him, she attempts to use her money to possess Bror, to bring him back to both her and the farm: "I could force you. I could cut you off." And although Bror has made it clear that the marriage contract does not include a personal commitment to her, they are making love in the next shot, an image again perpetuating the "naturalness" of a woman's submission to a man.

Here facts have been altered in the interest of dramatic effect. Indeed, Karen Blixen did travel across the African countryside during World War I leading short supply expeditions for the British. However, Bror did not object to these expeditions; and further, it was Bror who visited Karen at her camp (Thurman, 1982). In fact, her husband once walked 86 miles in two days to reach Karen's camp (Thurman).

After spending the night with Bror, Karen kisses her husband goodbye while he sleeps and quietly slips out of the tent to return to the farm. The next scene begins with Karen being diagnosed with syphilis, thus suggesting that Karen contracted syphilis during this visit to her husband's camp site. Accordingly, the narratives imply that she paid for violating traditional feminine boundaries; as a result of leading the safari through the desert rather than assuming her proper place in town with the other women and children, Blixen was infected with a disease that left her unable to conceive. As Berkeley told Blixen: "We don't send women to a war" (Luedtke & Pollack, 1987, p. 57). Moreover, there is no documentation that Blixen's disease resulted in her infertility. In fact, the opposite seems closer to the facts; on two different occasions Blixen thought she was pregnant with Finch Hatton's child, but it is unclear whether she had miscarriages, abortions, or had falsely diagnosed herself (Corliss, 1986; Lasson, 1978/1981; Thurman, 1982).

The prevailing image of Karen's dependence on men, however, is not represented principally through her relationship with her husband but through her relationship with Denys Finch Hatton. Throughout the movie, Finch Hatton is depicted as Blixen's protector, whether he's rescuing her from lions, other people, or herself. This pattern is established early in the film. For example, the scene discussed earlier in which Finch Hatton appears as the lion is approaching Blixen not only represents Blixen's disunity with Africa, suggesting as it does her ignorance of the country's natural dangers, but it also frames Blixen as a woman who needs a man to protect her. In her ignorance of Africa's wild animals, Blixen surely would have been attacked by the lioness had it not been for Finch Hatton's timely intervention. Two issues surrounding this theme are particularly problematic.

First, this scene blatantly ignores the fact that before Blixen ever met Finch Hatton she had become an accomplished game hunter who certainly could have protected herself against a lion. Second, Dinesen described a strikingly similar incident with a lion in *Shadows on the Grass,* but in her autobiography, it is Farah who has forgot his rifle and Dinesen who shoots the lion in order to save them both.

In a later scene, Finch Hatton comes to Blixen's rescue again. This time she has gotten her supply safari lost in the African desert. Cole and Finch Hatton, along with their Somali scouts, encounter Blixen and her servants. First, Finch Hatton protects her from Cole, who is demanding that Blixen return to her farm. Over Cole's objections, Finch Hatton gives Blixen his compass and explains how to use it. As mentioned earlier, Blixen did lead supply expeditions for English troops during the war. However, Blixen did not meet Finch Hatton until a few months before World War I ended, long after the time of her expeditions during the summer of 1914. Apart from its distortion of history, the scene reinforces the dependence of Blixen upon males, and in this case the event concerns the traditional males domains of directions and distances.

The next time Finch Hatton comes to Blixen's rescue occurs at a New Year's Eve party attended by Karen and Bror. While Bror is on the other side of the room flirting with another woman, Karen is talking with Cole in front of an open bar. Lord Delamere and several other men are also at the bar and Delamere criticizes Blixen about her plans to start a school for African children. At this point, a drunk man tells Karen, "Wogs can't even count their goats. It's none of your bloody business anyway." Blixen slaps the drunk man, and Finch Hatton steps into the shot, grabs Blixen's wrist and leads her onto the dance floor, thus saving her from any further confrontations with the men.

Finally, Blixen is rescued by Finch Hatton when she is pleading with Sir Joseph, the new governor, to provide land for the Africans living on her farm. In this scene, Blixen has kneeled in front of Sir Joseph to plead her case for the tenant farmers and a commissioner motions for an aide to lead her away. At that moment, Finch Hatton appears, dressed in his soiled hunting clothes, and tells the aide, "Wait. Give her a moment please." Blixen then is allowed to continue with her request to the governor. More disturbing than Finch Hatton's role as her protector in this scene is the implication that if he had not intervened on her behalf, Blixen would have been unable to plead her case for the Africans, and consequently she would have failed to secure the land. In this way Finch Hatton also becomes the protector of the Africans.

Moreover, facts have been changed in order to give Finch Hatton another opportunity to save Blixen. In this case, Finch Hatton had died before Blixen's fight to secure this land was finished (Thurman, 1982). Further, her efforts to secure the land never included begging Sir Joseph to help her before a group of embarrassed and unsympathetic colonialists: that the film puts her in this subordinate position is hardly surprising, given other scenes described above. Finally, this incident ends with Finch Hatton escorting Blixen to her car, where he expresses his apologies for not coming to her aid immediately after the fire destroyed her farm. Blixen then misinterprets Finch Hatton's offer of financial assistance as an offer to resume their relationship, asking him, "You would keep me then?" Although Finch Hatton has ended their relationship rather than compromise his independence, the rejected Karen still hopes that Finch Hatton will "keep" her.

The representation of Blixen's dependence on Finch Hatton is not limited to scenes in which he comes to her rescue. Her dependency also is presented through her submissiveness and possessiveness within their relationship. For example, Blixen's dependence also is signified through her willingness to ignore her own needs in order to accept Finch Hatton's terms for their relationship. In one scene, Karen complained to Cole that Denys "hasn't even said when he's coming back, if he's coming again." Although the relationship fails to meet her needs, Blixen submits to Finch Hatton's demands for no commitments in order to maintain their relationship.

Finally, Blixen's dependence is represented through her possessive behavior with Finch Hatton. For instance, after Bror asks for a divorce Blixen begins to pressure Finch Hatton for a permanent commitment. In the following scene, they have flown to a beach and are drinking wine beside a fire:

> Karen: . . . Bror has asked me for a divorce. He's found someone that he wants to marry. I just thought we might do that someday.
>
> Denys: Divorce? (He laughs, shrugs his shoulders) How would a wedding change things?
>
> Karen: I would have someone of my own.
>
> Denys: No. You wouldn't. . . .

Karen: I'd just like someone to ask sometime, once, that's all. Promise me you'll do that, if I promise to say no.
Denys: Just trust you, eh?
Karen: When you go away, you don't always go on safari, do you?
Denys: No.
Karen: Just want to be away.
Denys: It's not meant to hurt you.
Karen: It does.
Denys: Karen, I'm with you because I choose to be with you. I don't want to live someone else's idea of how to live. Don't ask me to do that. I don't want to find out one day that I'm at the end of someone else's life. I'm willing to pay for mine, to be lonely sometimes, to die alone if I have to. I think that's fair.
Karen: Not quite. You want me to pay for it as well.
Denys: No, you have a choice and you're not willing to do the same for me. I won't be closer to you and I won't love you anymore because of a piece of paper.

Here is another example of the use of antithesis to show the dramatic conflict between Denys and Karen; by foregrounding her possessiveness Denys becomes the protector, the champion of personal freedom. This scene was much shorter in the original screenplay but major additions were made to the scene the week it was shot (Luedtke & Pollack, 1987). According to Pollack, the additional dialogue was included in order to further emphasize Blixen's possessiveness and to "give Denys the opportunity to make one last defense for his kind of freedom" (Luedtke & Pollack, p. 159). As if to punish her for her increasing possessiveness, the next scene shows the African rains washing away Blixen's pond. At this point, she says: "Let it go. Let it go. This water lives at Mombasa" (Luedtke & Pollack, p. 130).

The scene in which Blixen and Finch Hatton end their relationship reinforces the image of Blixen as possessive and dependent. In this scene, they are seated in front of her fireplace. Finch Hatton is looking at maps, deciding where he will take his next group of tourists on safari, and Blixen is seated in a chair, mending his clothes:

Denys: . . . Maybe I'll try Samburu day after tomorrow.
Karen: You just got back.

Denys: (throws down his pen) You know, Felicity asked to come along. I almost said no because I thought *you* wouldn't like it and there's no reason for her not to come.

Karen: Yes there is. I wouldn't like it. You want her along?

Denys: I want things that don't matter not to matter.

Karen: Then tell her no. Do it for me.

Denys: And then? What else would it be?

Karen: Why is your freedom more important than mine?

Denys: It isn't and I've never interfered with your freedom.

Karen: No, I'm not allowed to need you or rely on you or expect anything from you. I'm free to leave. But I do need you.

Denys: You don't need me. If I died, will you die? You don't need me. You confuse, mix up need with want. You always have.

Karen: My God. In the world that you would make, there'd be no love at all.

Denys: Or the best kind. The kind we wouldn't have to prove.

Karen: You'd be living on the moon then.

Denys: Why! Because I won't do it your way? Are we assuming there's one proper way to do all this? Do you think I care about Felicity?

Karen: No.

Denys: Do you think I'll be involved with her?

Karen: No.

Denys: Then, there's no reason for this, is there?

Karen: Well, if she's not important, why won't you give it up? I have learned a thing you haven't. There are some things worth having--but they come at a price. I want to be one of them. I won't allow it Denys.

Denys: You've no idea the effect that language has on me.

Karen: I used to think there was nothing that you really wanted. But that's not it, is it? You want to have it all.

Denys: I'm going to Samburu. She can come or not.

Karen: Then you'll be living elsewhere.

Denys: All right.

Blixen is portrayed in this exchange as insecure, dependent, and possessive, a portrait that frames Finch Hatton as the unsuspecting victim of her unreasonable demands. And in the end she loses Finch Hatton, not because of his need for independence, but because she can't control her need to "own" him. It is her weakness as a woman, her possessiveness, that drives him away. Blixen's traditional dependence upon a man to make her life complete is symbolically represented in a subsequent scene in which Blixen caresses her pet owl and asks: "Is there a prince in there?" (Luedtke & Pollack, 1987, p. 135).

At Denys' funeral, Blixen acknowledges the futility of her attempts to possess him. Standing over his grave, she sadly admits: "He was not ours. He was not mine" (Luedtke & Pollack, 1987, p. 149). What is most problematic about the contradictory representations of Karen's relationship with Denys in the movie is that all sense of their equality and unity has disappeared and been recast in terms of the traditional roles and stereotypes of women and men. For example, they are no longer a unity in their lion hunts; instead, Blixen assumes a subordinate position as Finch Hatton becomes her protector and instructor.

It would be difficult to argue that Pollack's representation of their relationship was any more accurate than Blixen's since so many documented facts were altered to fit the film's "spine" (Luedtke & Pollack, 1987, p. ix) of Blixen's possessiveness. Further, by choosing to structure the film's plotline around Blixen's possessiveness, Pollack has ignored Finch Hatton's "morbid aversion to emotional demands" (Thurman, 1982, p. 246) and his credo of being "conscious of no guilt" (Pelensky, 1991, p. 121), an attitude that released him from any sense of moral responsibility (Pelensky). Significantly, the transformation of female hero to female villain has been accomplished through transferring all the positive characteristics of Blixen's self-expressions in her autobiographies to the male, Finch Hatton.

The movie did include a few scenes that depicted Blixen's strength and independence. For example, she chose to lead the supply safari during the war rather than be interned in town with the other white women and children. She also chased the lion away from her ox during this same safari. However, an important step of fantasy theme analysis is to identify the minor and major themes in the discourse. Major themes are those appearing most often, and they are then used to analyze the discourse and derive the rhetorical vision. Although the film reveals a little of Blixen's strength, her strength plainly was not one of the film's major themes. The last fantasy theme identified within the movie is acceptance and will be the focus of the next section.

The Fantasy Theme of Acceptance

We struggled with the character of Denys Finch Hatton, an elusive man living at emotional distance from those around him. How were we to dramatize this lack of involvement?

Sydney Pollack

The final theme of acceptance, although not nearly as dominant in the film as in the autobiographies, is nonetheless important to the overall rhetorical vision of the movie. The fantasy theme of acceptance further articulates Karen Blixen's dependence on Finch Hatton as a means to change her life in contrast to Finch Hatton's willingness to accept whatever life offers him. For example, after Finch Hatton gives his compass to Blixen, the monologue that begins the next scene has Blixen saying: "I had a compass from Denys, to steer by he said. But later it came to me that we navigated differently. Perhaps he knew, as I did not, that the earth was made round so that we would not see too far down the road." Indeed, in a subsequent scene Blixen offers to return the compass, and Denys confirms her observation: "Why don't you keep it. . . . I don't always want to know where I'm going anyway."

In another example, Blixen asks Finch Hatton what they will be doing the next day of their trip, and he answers: "I have no idea" (Luedtke & Pollack, 1987, p. 88). Similarly, after their first sexual experience, Karen hesitantly tells Denys: "I need to know how to think about this." His only response is a simple, "Why?" (Luedtke & Pollack, p. 100). Finally, when Blixen pressures Finch Hatton to get married, and demands to know what's wrong with mating for life, he replies: "I'd mate for life, one day at a time."

Another instance of Finch Hatton's laissez-faire approach to life is evidenced in his argument with Karen over starting a school for the African children. He reminds her that "We're not owners here, Karen, we're just passing through" (Luedtke & Pollack, 1987, p. 157). Blixen rejects his advice:

Karen: Is life really so damn simple for you, Finch Hatton?
Denys: Perhaps I ask less of it than you do.
Karen: I don't believe that at all.

The narratives do frame Finch Hatton as expecting less from life; like the Africans, he seems to recognize that "there are things which can be done and others which cannot be done" (*SG*, p. 416) and therefore accepts whatever fate brings to him with "a kind of aloof humility--or pride" (*SG*, p. 416). In contrast, Blixen struggles against her assigned roles and position within a patriarchal society. Thus, the overall message embedded within the fantasy theme of acceptance is analogous to this fantasy theme in the autobiographies: the superiority of a fatalistic approach to life. In the film, however, it is Finch Hatton rather than Blixen who articulates this view.

Rhetorical Visions of Autobiographies and Film

Combining the themes of unity, dependence and acceptance within Dinesen's narratives yields two overlapping rhetorical visions in the autobiographies. The first rhetorical vision is "Moral Justice Through Acceptance of Destiny." The problems experienced between the black and white races resulted from people rejecting their assigned roles, positions, and corresponding responsibilities in life. Dinesen's notion of destiny is based on the division of classes inherent in an aristocracy; some people are destined to be leaders, others are destined to be followers. As long as the aristocracy fulfilled their *noblesse oblige* to the proletariat, the dignity of both groups was preserved. Justice was achieved for the proletariat through the aristocrat's responsibility to protect and provide, not oppress and destroy people with lower status. In their zeal to possess and civilize the Africans, the white settlers had ignored their responsibility to these people. In contrast, Dinesen and her aristocratic friends upheld their responsibilities and consequently lived in "guileless harmony with the children of the land" (*SG*, p. 384). Kamante seemed to confirm this "guileless harmony" when he wrote that Dinesen "was indeed and [sic] axcellent [sic] woman, because she never hated anybody or doctrine, even Mohammedans" (Gatura, 1990, p. 37).

The second rhetorical vision is an extension of the first: "Female Strength and Independence Through Acceptance of Destiny." Dinesen realized her strength through fulfilling her role as the champion and protector of both the country and the people of Africa. She was only weak when she fought against her destined role. For example, she wrote about her period as an unenlightened settler when she foolishly killed wild game as a sport. As she merged with the country, she abandoned such activities and as a result grew more independent, more willing to place herself in opposition to the values of the other white settlers. In fact, Dinesen experienced her worst period of weakness when she challenged her destiny by trying to remain in Africa after her job was completed. When she accepted her fate, her strength returned and she was able to leave Africa and fulfill her future destiny as a writer.

One rhetorical vision emerges from combining the themes of unity, dependence and acceptance from the film's narratives: "Freedom Through Acceptance of the Naturalness of the White Male Hierarchical Ordering of Society." The problems Isak Dinesen experienced in her life centered around her rejection of her traditional position in society. Although she is represented as dependent on men throughout the film, a traditional image of women, she nonetheless has violated many of the patriarchal boundaries imposed on women, particularly during the post-Victorian era in which she lived. She sacrificed her purity to a man before marriage; she proposed marriage to a man; she tried to deny her bourgeois heritage and place within the social hierarchy with an aristocratic title; she assumed the position of a colonial farmer, a role reserved for men; and she had another relationship with a man outside of marriage. Each of her endeavors failed miserably. In might be inferred that Isak Dinesen was doomed to fail before she started because she did not accept her destined role and instead attempted to possess a man's world and a man's destiny.

In contrast, Denys Finch Hatton succeeds in all his endeavors. In fact, he even finds success in his death; in dying, he achieves his ultimate freedom. He was so attached to Africa that he could not leave the country; neither could he live with the expansion the country was experiencing as a result of European colonialism. Dinesen wrote that the development of the country represented a "kind of existence the idea of which was unbearable to him" (*OA*, p. 330). In fact, Finch Hatton told Dinesen that perhaps she would be happier in Denmark, far away from the "sort of civilization that we were going to get in Africa" (*OA*, p. 331). Had he remained in the increasingly civilized and populated country, Finch Hatton would have lost the sense of freedom he felt in Africa's primitive culture. His death was the only way he could remain free.

There are two major differences between this rhetorical vision and the first one identified in the autobiographies, "Moral Justice Through Acceptance of Destiny." First, Dinesen's definition of destiny was based on the division of classes inherent in an aristocracy and the unity between these classes in terms of responsibilities and roles. Some people are destined to be leaders, others are destined to be followers. Her literary argument for accepting destiny, however, did not preclude a woman from being a leader. In fact, the second rhetorical vision in her autobiographies, "Female Strength and Independence Through Acceptance of Destiny," reinforced the idea that a woman could be a leader, could find strength in life through recognizing and accepting her destiny.

Second, the rhetorical vision of the film does not include the same sense of responsibility toward people with lower status as the vision in Dinesen's autobiographies. The sanctioning agent of freedom underlying the film's rhetorical vision releases people from responsibility to anyone but themselves. In contrast, the sanctioning agent of moral justice, which underlies the rhetorical visions of the autobiographies, requires the upper classes to fulfill their *noblesse oblige* to the proletariat.

The similarity of the visions in the film and the autobiographies is related to the role of the black race. The desire not to see Africans turned into "little Englishmen" expressed by Dinesen in her autobiographies and by Finch Hatton in the film had nothing to do with any sense of equality between the races. Rather, both narratives expressed the idea that the African people should remain a primitive culture because that was their destined role in the social hierarchy.

Conclusion

> *The movie would have irritated Dinesen.*
> *Jane Kramer*
> *(New York Times* book reviewer*)*

According to Rybacki and Rybacki (1991), a rhetorical vision does not have to be the product of a group's process of chaining out. Sometimes a rhetorical vision can "represent the world view of a single person whose message is sufficiently attractive to cause others to coalesce into a kind of rhetorical community dedicated to that vision" (Rybacki & Rybacki, p. 97). This seems to be the case with Dinesen's rhetorical vision of the ideal relationship between the black and white races. It is entirely possible that the popularity of her autobiographies, particularly with the American public, was largely due to readers' perception that the books provided validation of this country's policies of segregation between blacks and whites. Readers could extrapolate Dinesen's articulation of the unity, but not equality, between dissimilar people to their personal fears and prejudices against black Americans.

Further, by advocating a unity between the black and white races based on their "natural" differences, Dinesen was able to represent herself as neither a racist nor a radical reformer. In the social climate of the 1930s, it was becoming less acceptable to be openly racist, but neither was it acceptable to promote equality between the black and white races. Moreover, by 1961 when *Shadows on the Grass* was published, the fears and prejudices of many people had intensified in the wake of the nascent civil rights movement. Consequently, a reformer persona would not have been acceptable to people whose fears surrounding racial equality had escalated, while the racist persona would have been unacceptable to those people who were beginning to question and challenge the policies of racial discrimination. In turn, both groups would have rejected the rhetorical vision of the books.

Although the film has Dinesen uncritically affirming a stereotypical view of women that the autobiographies would never endorse, it is possible that the widespread appeal of the movie can be explained precisely through the film's covert validation of traditional roles for women and men. Perhaps if Dinesen had been a more aggressive, independent woman in her relationships with men, she would not have been such an appealing character to viewers. Similarly, individualism and courage have been equated with masculinity from the beginning of the film industry (Mellen, 1977). Indeed, Pollack's representation of Finch Hatton, in the body of Robert Redford, is hardly more that a colonialized, updated version of the 1950s cowboy whose masculinity was defined through his "scornful refusal to reveal his feelings to a woman" (Mellen, p. 132). Hence, Hollywood's definition of the appropriate image of male masculinity has not been threatened in "Out of Africa." Further, the romantic drama and the spectacular views of Africa combined to obscure the inequalities underlying the covert message of male dominance and independence and female submissiveness and dependence.

Accordingly, the film's representation of Finch Hatton's conception of freedom from possession also is critical to understanding how Dinesen has been changed not only from a hero to a villain, but also from an independent woman into the patriarchal ideal of a dependent, submissive woman. It is also critical to understanding the appeal of the movie. First, as previously mentioned, Finch Hatton and Dinesen have been cast in the traditional stereotypical roles of dominant and independent male and submissive and independent female, a standard theme of Hollywood films (Haskell, 1974; 1987). Accordingly, Finch Hatton's role represents and validates the male stereotype of the man's need for independence and the woman's desire to take away his independence. Second, by focusing on Finch Hatton's struggles to maintain freedom from personal commitments as well as Africa's freedom from European possession, the issue of the Africans' freedom from the injustices of colonialism has largely been ignored. In short, the film perpetuates the patriarchal ideal of the naturalness of the white male hierarchical ordering of society (Eisenstein, 1979).

Earlier attempts to make a movie of *Out of Africa* had not been successful. During the 1950s, a version of Dinesen's autobiography was planned and rumors circulated that Greta Garbo would play the role of Karen Blixen. Robert Ardrey tried to develop a script for *Out of Africa* in the 1960s, and Nicholas Roeg planned to film it in the 1970s (Ansen, 1985). The projects always fell short because Dinesen's life stories "resisted dramaturgy" (Ansen, p. 72).

One is compelled to ask why film producers and screenwriters found Dinesen's book so difficult to translate into film. The book is full of emotional tension and dramatic conflict. There was also emotional intimacy between the characters. The problem is that the conflicts dealt with the injustices the Africans experienced as a result of colonialism and bigotry of the white settlers, and the intimacy was between a white woman and black men. The only apparent reason that her autobiography "resisted dramaturgy" (Ansen, 1985, p. 72) was because no one wanted to make a film about a white woman and her love for black Africans: "Studios do not spend $30 million dollars on movies about coffee farms and Kikuyu chiefs" (Ansen, p. 72). Hence, when *Out of Africa* finally made it to the silver screen, Pollack granted Dinesen a "monopoly over pain" (Nixon, 1986, p. 224) and the pain of the black race that was a major theme of Dinesen's autobiography was nonexistent.

Finally, "Out of Africa" is not Isak Dinesen's story; it is Sydney Pollack's story and, to a lesser extent, Kurt Luedtke's story of her life in Africa. Luedtke wrote the first draft of the screenplay, however, Pollack had an active role in the subsequent drafts (Luedtke & Pollack, 1987). And although the credits of "Out of Africa" list several books from which the film was adapted, Pollack could have omitted Dinesen's autobiographies from his sources and no one would have noticed: "The eloquent tales and the fine life that were Isak Dinesen's inventions have now passed through the sanitizing filter of Pollack's sentiment, and it will take a while to get them back" (Kramer, 1986, p. 27).

Toward the end of *Shadows on the Grass*, Dinesen described how her former servants would go to Nairobi in order to dictate letters to a scribe who then would send the letters on to Dinesen's home in Denmark. Before the letters reached her, however, they went through several translations: "The letter, first translated in the mind of the sender from his native Kikuyu tongue into the lingua franca of

Swahili, had later passed through the dark Indian mind of the scribe, before it was finally set down, as I read it, in his unorthodox English" (Dinesen, 1961, p. 444). Dinesen wrote that although she always was pleased to hear from her African friends, the process of dictating their words often resulted in a letter that "had no voice to it" (Dinesen, p. 444). Similarly, the result of Pollack's recasting of Dinesen's autobiographies from the poignant stories of her friendships with the African people into a romantic epic is that Isak Dinesen's lifestory "had no voice to it."

Endnote

[1] In order to provide clarification of the specific book being cited within the text of this study, abbreviations have been used for citations of Isak Dinesen's autobiographies. The following abbreviations replace the standard *American Psychological Association* citation of author and year within the manuscript: *OA/Out of Africa* and *SG/Shadows on the Grass.*

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ABSTRACT

THROUGH THE EYES OF GENDER AND HOLLYWOOD: CONFLICTING VISIONS OF ISAK DINESEN'S AFRICA

Using Ernest Bormann's critical method of fantasy theme analysis, this study investigated the interrelationships among the themes and rhetorical visions of two texts: Isak's Dinesen's autobiographies, *Out of Africa* and *Shadows on the Grass*, and Sydney Pollack's film version of her autobiographies, "Out of Africa." Although the autobiographies and the film document the same 18 years Dinesen lived in Kenya, their respective accounts of Dinesen's life contradict each other. Dinesen's autobiographies were about the injustices endured by the Africans under colonialism in Kenya and her relationships with the African people. The film, however, ignores the injustices of colonialism and Dinesen's relationships with the Africans in favor of a Hollywood romantic epic loosely based on the relationship between Dinesen and Denys Finch Hatton. Through distortion and omission of the facts of Isak Dinesen's life, the film version transforms a strong and independent Dinesen into a more traditionally weak and dependent woman more palatable to the patriarchal environment in which Hollywood operates. Further, the romantic drama and the spectacular views of Africa combined to obscure the inequalities underlying the covert message of male dominance and independence and female submissiveness and dependence.

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Network Commercials Promote Legal Drugs: Outnumber Anti-Drug PSA's 45-to-1

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Outnumber Anti-Drug PSA's 45-to-1

By Fred Fedler, Mary Phillips,
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In 1989, President George Bush declared a war against illegal drugs, and the television industry seems to be helping the government fight that war. News stories, documentaries, and public service announcements (PSA's)[1] urge Americans to avoid drugs. In addition, news stories report on the government's progress in the war.

Commercials, however, seem to convey a different message. Many encourage Americans to use legal drugs, especially alcohol and over-the-counter (OTC) drugs.

This paper will examine that apparent inconsistency. As part of the study, this paper will also examine two secondary issues: (1) the content of commercials for legal drugs and (2) children's exposure to the commercials.

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Critics warn that the media's emphasis upon illegal drugs, such as heroin and cocaine, diverts attention from more dangerous drugs: legal drugs.[2] Critics explain that, if the television industry focuses Americans' attention exclusively upon the problem of illegal drugs, Americans will remain unaware of -- and fail to correct -- the problems caused by legal drugs.

About 300,000 OTC products are sold in the United States, and the Food and Drug Administration (FDA) reviews their safety and effectiveness. Previous studies have found that virtually every adult uses the products, primarily to treat minor illnesses.[3]

Compared to prescriptive drugs, OTC products have fewer and milder side effects (and less potential for addiction). However, a prescriptive drug can cure a disease as well as relieve its symptoms. Most non-prescriptive drugs simply relieve the symptoms: pain, inflammation, and itching, for example.

Federal reports have found that consumers rely upon the claims made in advertisements for OTC products, yet some advertisements are misleading and use words "which either have been disapproved by the FDA or its panels or have not been reviewed at all."[4] Experts also warn that advertisements encourage consumers to diagnose and treat their own ailments and to buy products they may not need.

In addition, consumers who truly need help may fail to obtain it. Many OTC products -- perhaps 75% -- are ineffective.[5] Moreover, the incorrect or overuse of the products can cause serious medical problems.

Aspirin can cause gastrointestinal bleeding and contribute to diabetic comas. Laxatives can cause liver damage, affect blood clotting, and weaken bowel muscles.[6]

Critics are also concerned about the harm caused by other legal drugs, particularly alcohol and tobacco. The U.S. Surgeon General has categorized tobacco as an addictive drug and estimates that it causes 300,000 deaths a year. Alcohol ("the drug of choice among American youth"[7]) is responsible for an additional 100,000 deaths a year. By comparison, all the illegal drugs combined caused only 3,403 deaths in 1987: "less than 1 percent of the death toll from the perfectly legal, socially respectable drugs that Americans ... indulge in every day."[8]

Previous articles have discussed the commercials that promote legal drugs, but many of the articles are descriptive and cite estimates, not the results of empirical studies. Some authors charge that the commercials for both OTC drugs and alcohol encourage the belief that the products are safe and effective: guaranteed to provide instant solutions to everyone's problems. Thirty-second commercials show people eliminating the pain of headaches and arthritis, even the pain of a dentist's drill, by swallowing the right pill. Other commercials show people relaxing and finding friendship, romance, and escape by selecting the right can of beer or glass of wine.

Critics add that commercials for legal drugs fail to warn consumers about the risks involved. Atkin, Neuendorf, and McDermott complain that the commercials for alcohol, for example, "never present any warnings or information about the health implications of excessive or hazardous drinking practices."[9]

Critics are particularly worried about the commercials' effects on children. The average child watches television 25 to 30 hours each week and sees an estimated 20,000 commercials each year. Sheiman estimates that 1,000 of those commercials are for non-prescriptive drugs.[10] Norman and Diana Fleishman estimate that, by the time they reach the age of 18, children will also see 100,000 beer commercials -- an average of more than 5,500 a year.[11]

To learn more about the problems, this study will compare the number and content of commercials for legal drugs with the messages conveyed by the television industry's news stories, documentaries, and PSA's about illegal drugs. Even more specifically, this study will seek answers to the following questions:

*How many commercials do the networks broadcast for OTC drugs?

*What types of OTC drugs are advertised most heavily?

*How many of the commercials are children likely to see?

*How many news stories, documentaries, and PSA's do the networks broadcast about illegal drugs?

*How many commercials do the networks broadcast for alcoholic beverages?

*What techniques do commercials use to promote alcohol and OTC drugs?

Methodology

During the week of Sept. 16 to 22, 1990, the authors videotaped the nation's three major television networks: ABC, CBS, and NBC. The authors also videotaped CNN, one of the nation's most popular cable networks. Each day's taping began at 8 a.m. and continued until 11:30 p.m.: the conclusion of the network affiliates' final newscast of the day.

After reviewing articles about OTC drugs (and watching commercials for them), the authors prepared a checksheet that listed 18 types of OTC drugs. The checksheet also listed advertisements for other types of medical products and services. The additional categories included: (1) chiropractic care, (2) dental care and products, (3) eye care and products, (4) hearing care and products (5) pharmacies and drug stores, (6) medical centers, (7) diet and exercise centers and equipment, and (8) other medical products.

Another section of the checksheet listed advertisements for alcoholic beverages.

The final section provided 15 categories for all the other advertisements broadcast by the four networks, including categories for clothing, food, financial institutions, and household products. The authors met several times to practice placing advertisements into the categories. The practice sessions led to numerous modifications in the checksheet, and into a growing consensus about the advertisements' proper categorization.

To facilitate the process, the authors compiled sublists of products to be placed in some categories. The authors agreed, for example, that advertisements for banks, insurance companies, credit cards, stock brokers, and loan companies all belonged in the category for "financial institutions."

As a final test of their procedures, four of the authors categorized a list of the first 100 advertisements that CNN broadcast from 6 to 11:30

one evening (not an evening during the week of Sept. 16 to 22). The four authors agreed on the categorization of 88 of the advertisements. Three of the four authors agreed on the categorization of 7 of the remaining advertisements. The authors were divided 2-2 or 2-1-1 on the categorization of 5 advertisements. Thus, out of a possible 400 points of agreement, the authors scored 383, or 95.6%.

Working individually, four of the authors then categorized all the advertisements broadcast during the week of Sept. 16 to 22, with one author categorizing the advertisements for each network. Thus, each author categorized the advertisements broadcast during 108.5 hours of programming.

The authors noted the hour and day the advertisements were broadcast, dividing each day into three time periods: (1) from 8 a.m. until noon, (2) from the opening credits for the noon program until 6 p.m., and (3) from the opening credits for the 6 p.m. program until 11:30 p.m.

The authors ignored products and services mentioned as "promotional considerations." They categorized advertisements for products such as milk and orange juice as "food" even when advertisements for those products stated that they were fortified with vitamins and minerals. As a result, the study tends to be conservative in its estimates of the number of advertisements for OTC drugs and other medical products.

The authors also studied the networks' evening newscasts, counting and analyzing their stories about drugs. The authors studied the network affiliates' newscasts at 6 and 11 p.m. EDT. The author viewing CNN examined all its newscasts from 6 to 7 p.m. and from 11 to 11:30 p.m. EDT.

Finally, the authors counted and analyzed all of the networks' PSA's, especially their PSA's about drugs.

The authors did not consider the length of any of the programming: whether the advertisements and PSA's continued for 15, 30, or 60 seconds.

Results

The Number And Types Of Advertisements

The four networks broadcast 14,320 nonprogram items during the week of Sept. 16 to 22, and 2,811 of the items -- 19.6% -- were promotional spots. Ninety-one were PSA's, and the remaining 11,418 were commercials.

Together, the four networks broadcast 692 commercials for OTC drugs. CNN broadcast the smallest number: 124. Thus, only 5.0% of CNN's commercials during the week of Sept. 16 to 22 promoted OTC drugs, compared to a high of 8.6% at CBS.

Burns W. Roper has reported that a typical viewer watches television about 3 hours a day. During an average hour, CNN broadcast 1.1 commercials for OTC drugs, NBC broadcast 1.3, ABC 1.5, and CBS 2.4. On average, the four networks broadcast 1.6 commercials for OTC drugs every hour, so a typical viewer would see 33 a week, or 1,740 a year.

The networks broadcast more commercials for food than for any other single category of products. Together, the four networks broadcast 2,782 commercials for food, and that number represented 24.4% of all the commercials broadcast during the week. Commercials for the auto industry ranked second at 1,460 (12.8%), and commercials for household products ranked third at 1,270 (11.1%). Commercials for OTC drugs ranked sixth at 692, or 6.1%. (See Table I).

Pain relievers were promoted more frequently than any other type of

OTC products. Together, the four networks broadcast 133 commercials for pain relievers. That compares to 84 for stomach-upset-relief products, 70 for vitamins, 63 for laxatives, 61 for allergy remedies, and 55 for diet aids (See Table II).

All four networks also broadcast commercials for other medical products and services, ranging from eye and dental to chiropractic and psychiatric care. Together, the networks broadcast 833 commercials for other medical products and services (See Table III).

If you combine the two categories -- the commercials for OTC drugs and for other medical products and services -- the networks broadcast a total of 1,525 commercials for health-related products and services. Combined, those 1,525 commercials rank just behind "food," as the second most common type of commercial broadcast by the networks.

While counting the commercials for OTC drugs, the authors noticed that they were broadcast at predictable times of the day: at the times when viewers were most likely to need the products. Every commercial for sleep aids appeared after 6 p.m. Similarly, 80% of the commercials for stomach-upset-relief products appeared immediately after the lunch or dinner hour (EDT).

Children's Exposure To The Advertisements

Many of the commercials for OTC drugs were broadcast during the hours when children were most likely to be watching television, especially weekday afternoons (See Table IV). All four networks broadcast fewer of the commercials on Saturday mornings: an average of only 1 during each 2.3

hours of programming. CNN broadcast an average of 9.8 commercials for OTC drugs each weekday afternoon and 4 on Saturday morning. NBC broadcast an average of 11.2 and 0, ABC 15 and 2, and CBS 19.4 and 1.

A child who watches television 30 hours a week at a variety of times would, on average, see 34 commercials for OTC drugs on CNN, 40 on NBC, 46 on ABC, and 70 on CBS. By the end of the year, a typical child would see more than 2,480 of the commercials. Assuming consistent viewing levels over time, a child would be exposed to more than 34,800 of the commercials before reaching adulthood (between the ages of 4 and 18).

News Stories, Documentaries, And PSA's

Stories about illegal drugs appeared less often than anticipated. There were no documentaries and only two news stories about the drugs. Both news stories were broadcast by local stations and concerned the trial of Washington, D.C. Mayor Marion Barry who was charged with cocaine possession and use. Similarly, there was only one local story about alcohol. That story described an ordinance that, if enacted, would have required liquor stores to post warnings about alcohol's harmful effects.

Several major stories broke during the week, including military and political events in the Persian Gulf and the murder of several students at the University of Florida in Gainesville. Those stories may have limited the amount of time the networks and their affiliates had for other topics, including drug- and alcohol-related stories.

The four networks broadcast fewer PSA's than expected: a total of 91, or a ratio of 1 for each 1,254 commercials. Only 17 of the PSA's concerned drugs. NBC and its local affiliate broadcast 2 anti-drug PSA's, CNN broadcast 4, ABC 4, and CBS 7 (See Table V).

Advertisements For Alcoholic Beverages

Three of the four networks broadcast commercials for alcoholic beverages, but fewer than expected. The three networks broadcast a total of 72 commercials for alcoholic beverages, and they represented only 0.6% of the week's commercials.

Eighteen of the commercials appeared on ABC, 27 on NBC, and 27 on CBS. None appeared on CNN. (This study could not determine whether that reflected a policy at CNN, or whether advertisers simply preferred the other networks.)

Thus, during a total of 434 hours of programming, the four networks broadcast an average of one commercial for alcoholic beverages every 6 hours. Only 12 of the 72 commercials appeared during the peak viewing times for children (before 6 p.m.). Most appeared during sports or news programs, primarily on Saturday and Sunday.

Adults' exposure to the commercials depended largely upon their choice of programs. Seventy-six percent of the commercials for alcoholic beverages were aired during sports programs. Thus, viewers who enjoy sports are likely to see an unusually high percentage of the commercials.

A child who watched television 30 hours a week would see, on average, about 5 of the commercials for alcoholic beverages, or 260 a year. Assuming consistent viewing levels over time, a child would be exposed to 3,640 of the commercials for alcoholic beverages before reaching adulthood (between the ages of 4 and 18).

Promotional Techniques

The authors also analyzed the techniques used to promote OTC drugs and alcoholic beverages and found that most commercials showed the products solving a problem. Typically, the first portion of a commercial for Bufferin showed a frowning actor rubbing his head. The actor reappeared after taking Bufferin and was shown smiling, with his appearance improved by a subdued set and altered lighting.

Other commercials showed OTC drugs helping resolve conflicts between individuals. An advertisement for Dimetapp showed an actor suffering from allergies (and from a co-worker's indifference to his ailment). Another commercial showed a father suffering from indigestion and rebuffing his daughter, thus alienating his family. A doctor recommended Mylanta, and it promptly solved the father's -- and the family's -- problems.

Commercials for diet aids such as Dexatrim showed actors who described their prior eating disorders. The actors appeared to be vibrant, confident, and obviously successful -- and attributed their sudden success to Dexatrim.

Other commercials showed celebrities endorsing OTC products. Typically, actress Michael Learned served as a spokeswoman for Tylenol.

Regardless of the techniques they used, all the commercials suggested that the products can solve Americans' social and medical problems. Few used qualifying phrases like "may benefit" or "in some cases." Instead, commercials for OTC drugs used more sweeping phrases, such as "millions of

Americans" and "relieves your worst pain."

Unexpectedly, many of the commercials included disclaimers. Commercials for Tylenol included this written message: "Read and follow label directions carefully." However, Tylenol's disclaimers appeared briefly, in small print, and at the margins of the active scenes. They were not accompanied by spoken warnings. Commercials for Bufferin and Pepto-Bismol advised viewers to "Use only as directed." Commercials for Advil used an additional phrase: "Read label carefully. Use only as directed."

Commercials for alcoholic beverages advocated moderation but did not warn viewers about the products' potentially harmful effects. Typically, Comedian Norm Crosby appeared in a commercial for Anheuser Busch and reminded viewers to "Know when to say when." A commercial for Coors Light repeated the product's slogan, "It's the right beer now" (and showed people around a campfire and relaxing at home). The commercial then added, "...but not now" (and showed people on jet skis, and hunters with guns).

Discussion And Conclusions

During a one-week period, four of the television industry's leading networks broadcast 17 anti-drug PSA's, 2 news stories about the problem of illegal drugs, and 1 news story about alcohol. During the same one-week period, the networks broadcast 692 commercials that encouraged the use of OTC drugs, and 72 commercials that encouraged the use of alcohol. Thus, the commercials promoting drugs and alcohol outnumbered the networks' news stories, documentaries, and PSA's about illegal drugs by a ratio of almost 39-to-1. If you consider the anti-drug PSA's alone, the commercials promoting drugs and alcohol outnumbered them by a ratio of almost 45-to-1.

Large numbers of viewers were unlikely to see any of the networks' anti-drug PSA's. Those PSA's appeared at the rate of only 1 during each 25.5 hours of programming. By comparison, commercials for alcoholic beverages and OTC drugs appeared at the rate of 1 every 34 minutes.

There was nothing unusual about the commercials' techniques. Yet when a commercial shows an OTC drug eliminating a stomachache, headache, or sinus congestion in 30 seconds, the drama seems likely to foster unrealistic expectations about the products' benefits and safety.

Other criticisms of the networks and their commercials seem to be mistaken. Commercials broadcast during the week of Sept. 16 to 22 did include some disclaimers. Moreover, estimates of children's exposure to the commercials seem to be grossly mistaken. Sheiman estimated that the average child would see 1,000 commercials a year for non-prescriptive drugs. This study found that children were likely to see many more: 2,480. The Fleishmans estimated that children would see 5,500 advertisements a year for beer. This study found that children were likely to see many fewer: a total of only 260. Even that estimate is likely to be high, since children, especially girls, are unlikely to view many of the networks' sports programs.

Thus, this study exposed an apparent inconsistency: the television industry's simultaneous exposure of illegal drugs and promotion of legal drugs. The next logical study for researchers will be to determine the PSA's and commercials' effects upon viewers of all ages. For example: how do the commercials for legal drugs affect people's attitudes toward both legal and illegal drugs? Do the commercials foster a belief in miracles?

Perhaps even more importantly, is there any link between people's exposure to the commercials for legal drugs and their attitudes toward both legal and illegal drugs?

Researchers' might also compare viewers' recall of the commercials for OTC drugs with their recall of the PSA's that warn against the dangers of illegal drugs. Or, researchers might look at the adequacy of the disclaimers broadcast during the commercials for legal drugs: do viewers notice and remember them?

TABLE I

Number Of Commercials
For Every Category Of Product

Product	ABC	CBS	NBC	CNN	Total	Percentage
Food	756	793	919	314	2,782	24.4%
Auto	375	390	382	313	1,460	12.8
Household Product	346	257	337	330	1,270	11.1
Other Medical	200	218	256	159	833	7.3
Entertainment	181	168	207	229	785	6.9
OTC Drug	168	255	145	124	692	6.1
Personal Hygiene	141	199	145	124	609	5.3
Other Service	142	161	125	135	563	4.9
Financial	69	78	68	216	431	3.8
Dept. Store	73	121	109	46	349	3.1
Books	6	4	9	205	224	2.0
Clothing	65	38	64	35	202	1.8
Office Equipment/ Electronics	24	26	12	105	167	1.5
Political	43	31	46	1	121	1.1
Alcohol	18	27	27	0	72	.6
Education/ Government	12	20	17	2	51	.4
Other	245	182	235	145	807	7.1
TOTALS:	2,864	2,968	3,103	2,483	11,418	

TABLE II

OTC Drug Ads

By Category And Network

Product	ABC	CBS	NBC	CNN	Total	Percentage
Pain Relievers	22	64	21	26	133	19.2%
Stomach Relief	21	18	29	16	84	12.1
Vitamins	14	24	17	15	70	10.1
Laxatives	6	25	21	11	63	9.1
Allergy	36	22	3	0	61	8.8
Diet Aids	24	29	1	1	55	7.9
Liniments	6	16	7	20	49	7.1
Skin Care	12	21	4	9	46	6.6
Cough	11	2	22	0	35	5.1
Foot Care	0	8	8	11	27	3.9
Sleep Aids	5	11	2	4	22	3.2
Medicated Shampoos	4	6	8	0	18	2.6
Hemorrhoids	0	6	1	2	9	1.3
Eye/Ear	3	0	1	4	8	1.2
Other	4	3	0	5	12	1.7
TOTALS	168	255	145	124	692	

TABLE III

Commercials For Other Medical Products

Product	ABC	CBS	NBC	CNN	Total
Dental	57	81	75	35	248
Eye Care	21	36	53	61	171
Pharmacy	29	30	34	27	120
Diet/Exercise	31	19	20	23	93
Emotional	24	16	4	0	44
Substance Abuse	3	4	9	8	24
Other Medical Facility	2	4	13	0	19
Hospital	6	2	5	0	13
Chiropractic	4	2	1	0	7
Other Medical	23	24	42	5	94
TOTALS:	200	218	256	159	833

TABLE IV

OTC Drug Ads

By Network, Day, And Time Period

	ABC	CBS	NBC	CNN	Total
Sunday					
0800-1200	0	2	0	4	6
1200-1800	13	5	3	4	25
1800-2330	8	11	4	2	25
Monday					
0800-1200	7	14	5	4	30
1200-1800	21	16	11	5	53
1800-2330	3	7	4	5	19
Tuesday					
0800-1200	9	16	8	3	36
1200-1800	10	17	16	8	51
1800-2330	3	12	5	7	27
Wednesday					
0800-1200	8	12	10	3	33
1200-1800	18	22	9	12	61
1800-2330	2	12	7	6	27
Thursday					
0800-1200	6	13	6	3	28
1200-1800	13	20	14	12	59
1800-2330	9	17	6	9	41
Friday					
0800-1200	13	11	6	4	34
1200-1800	13	22	6	12	53
1800-2330	5	8	5	10	28
Saturday					
0800-1200	2	1	0	4	7
1200-1800	0	13	6	3	22
1800-2330	5	4	14	4	27
TOTALS	**168**	**255**	**145**	**124**	**692**

TABLE V

Additional Categories:

PSA's, Promos, Total Nonprogram Items

	ABC	CBS	NBC	CNN	Totals
Non-Drug PSA's	15	24	21	14	74
Anti-Drug PSA's	4	7	2	4	17
Promos	741	753	583	734	2,811
Total Nonprogram Items	3,624	3,752	3,709	3,235	14,320

Footnotes

1. "CBS Donates Anti-Drug Commercials," The New York Times, Jan. 30, 1990, p. D21.

2. Barbara Ehrenreich, "Drug Frenzy: Why the war on drugs misses the real target," Utne Reader, March/April 1989, p. 77.

3. "Who's Buying What In OTCs," Drug Topics, Vol. 134 (Jan. 8, 1990), p. 32.

4. Staff Report and Recommendations: Advertising For Over-The-Counter Drugs. Public Record No. 215-51 16 CFR Part 450, May 22, 1979, p. 54.

5. William E. Gilbertson, "The FDA's OTC Drug Review." Handbook Of Nonprescription Drugs, 8th ed. (Washington, D.C.: American Pharmaceutical Association, The National Professional Society of Pharmacists, 1986), p. 1. Also see: "Safety Questions On Nonprescription Drugs," U.S. News & World Report, Nov. 12, 1990, p. 93.

6. Staff Report and Recommendations: Advertising For Over-The-Counter Drugs, pp. 60-61.

7. Norman and Diana Fleishman, "Beer Ads Fuel For The Drug Bonfire," The Humanist, November/December 1989, p. 38.

8. Ehrenreich, "Drug Frenzy: Why the war on drugs misses the real target," p. 77.

9. Charles K. Atkin, Kimberly Neuendorf, and Steven McDermott, "The Role Of Alcohol Advertising In Excessive And Hazardous Drinking," Journal of Drug Education, Vol. 13, No. 4, 1983, p. 314.

10. Deborah Lovitky Sheiman, "The Effects of Televised Drug Commercials on Children," unpublished thesis. ERIC. ED 174 744-182-413, 1980, p. 3.

11. Norman and Diana Fleishman, "Beer Ads Fuel For The Drug Bonfire," p. 38.

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The Effects of the Mood Generated by Television Program in Advertising and Product Evaluation.

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I. Introduction.

Usually, broadcasters insert a commercial break during very high suspense scenes to discourage the audience from switching channels. A natural question emerges from this practice: how do the feelings generated by the prior programming affect audience responses to the commercials? (Mattes and Cantor, 1982). A supplemental question is: are all viewers affected in the same way?

Research in this area has shown that one of the most important variables in advertising evaluation is the viewer's perspective. Mood has been increasingly considered as a major intervening factor affecting the viewer's perspective (Goldberg and Gorn, 1987; Lutz, 1985). Gardner (1984) believes that mood is an important variable in consumer behavior, and that the effects of mood on consumer behavior may be important under three sets of circumstances: 1) mood may bias answers to surveys or experiments (e.g., in pretesting commercials); 2) consumers' mood upon exposure to marketing stimuli (e.g., advertising) may be determined by factors beyond the marketer's control (e.g., program context), and 3) marketing stimuli (e.g., advertising content) may be used to influence consumers' moods.

Goldberg and Gorn (1987), suggest that viewers who are put into a happy mood by a program are likely to link the embedded advertisement with positive stored memory of the product. The opposite is expected for a sad program. Goldberg and Gorn (1987) found an interaction between program and commercial type, using happy and sad programs. However, not all programs are perceived as sad or happy for all viewers.

Therefore, it is important to understand how viewers react to a program that is happy in nature (e.g., Superbowl), but becomes, because of its outcome, not so happy for some viewers, and happier for others. The present research examines the interaction between viewer and program. The underlying research hypothesis is that viewer perspective controls the program's effect on commercial evaluation. Hence, the same program, and the same commercial, will affect viewers differently, depending on their point of view and the commercial's interaction with the program content.

Another important point of this research lies in its methodological approach. Most of the research in mood has made use of artificial manipulations; this design uses a very naturalistic mood induction--a real program, in a real time, with a real embedded pod of commercials. Hill and Ward (1989) call attention to the fact that mood manipulation--in the way it has been applied most of the time--also affects other psychological variables that have the ability to affect the decision making process. They highlight the importance of carefully choosing mood manipulation in order to avoid or control threats to internal validity.

The present research design make use of McClung, Park and Sauer's (1984) contention that there are three interconnected factors that influence the effectiveness of a commercial: a) viewer's level and type of involvement, b) program context, and

c) the nature of the advertisement. The proposed research design controls for two of these factors (program context and nature of the advertisement), by holding them constant, and then exploring the other one (interaction between program and viewer's level and type of involvement). Whereas McClung suggested three levels (low, moderate, and high), and two types of involvement (cognitive and affective), this research uses the same three levels, but only one type -- affective involvement.

The utilization of the quasi-experimental situation (reversed-treatment non equivalent groups design with pretest and posttest to be fully discussed in the methods section) permits the ability to rule out most threats to internal validity, and at the same time extends the external validity of the results.

The methodological approach, together with the general importance of the topic, make this project very useful to the field of communication research in general and consumer behavior in particular. The study has implications for both brand and advertising research. Inquiry in this area will provide managers with insight relative to the appropriate ad for a given program to maximize ad effectiveness. In addition, increasing understanding of the individual-program-advertising interaction will lessen, to some extent, a classic problem in advertising research: ads that pretest well, but are complete failures when broadcast.

II. Mood definition.

Mood has been used interchangeably with other terms such as feeling states (Clark, 1982), affect, and emotion (Bower, 1981; Solomon, 1980). The term mood seems to have no special purpose. Morris (1989), however, based on the overlap presented by the definition of four theorists with different backgrounds (Nowlis, 1965; Pribran, 1970; Jacobsen, 1957; and Isen, 1984), argues that mood is more general and pervasive than emotions, is less intense, and can be seen as a source of information about the current function of the organism--a facilitating self-regulation system of the organism. He then says: "In summary, moods can be defined as affective states that are capable of influencing a broad array of potential responses, many of which seem quite unrelated to the mood-precipitating event. As compared with emotions, moods are typically less intense affective states and are thought to be involved in the instigation of self-regulatory processes" (page 3).

II.1. A general model of mood effects in advertising effectiveness.

Lutz (1985) suggests that recent attitude towards advertising (A_{ad}) research parallels current persuasion research in social cognition, because they both give consideration to affective and cognitive responses which act as moderators of message effectiveness. Petty, Cacioppo, Sedikides, and Strathman

(1988) argue that the accumulated research over the past several decades has clearly indicated that our evaluation of people, objects, and issues can be influenced by our feelings, mood, and emotions whether or not the affect is actually relevant to the attitude/object under consideration.

In general, the A_{ad} is a result of two kinds of processing: a central processing that is connected to the cognitive ability to process the information, and a peripheral processing that is an automatic reaction on the part of the consumer and is not a cognitively based reaction to the advertising stimuli (Petty et al. 1988; Lutz, 1985).

Several authors have discussed those factors which are responsible for the moderation of mood during a TV show, particularly during the commercial break. Those factors can be grouped under two main domains: individual differences and reception context. Individual differences refer to the "trait" component of an individual's mood, analyzed as a pre-dispositional tendency to evaluate situations positively or negatively. Reception context is a result of three other factors: 1) nature of exposure or viewer's orientation at the time of exposure, 2) commercial clutter, and 3) program context, to be defined as follows:

1) Nature of exposure or viewer's orientation at time of exposure. If the viewer is oriented towards information seeking, then watching a commercial can be at the top of his/her priorities (Beattie and Mitchell, 1985). If the viewer is oriented towards closure (Kennedy, 1971), elements that delay it

(e.g., commercials) are not well received. Petty et al. (1988) claim that mood works differently depending on people's motivation to perform an information processing activity. In cases where there is a high motivation/ability to process the information, affect can be either an argument, if it is relevant to the determination of the central merits of the issue, or it can bias the conclusion of an ongoing information processing activity. On the other hand, when lack of motivation/ability is present, affect may serve as a simple peripheral cue. In cases of uncertainty as to whether the message warrants, needs or deserves scrutiny, affect will be especially important as a moderator of the "route of persuasion".

2) Commercial clutter is another factor influencing reception context. Soldow and Principe (1981) found that A_{ad} and clutter are negatively correlated and, as the involvement with the program increases, negative responses to commercials increase. Gardner and Raj (1982) argue that clutter is a factor that affects the attention level a commercial receives: "The enormous number of commercials during television programs is often a source of diminished attention and confusion to consumers" (page 144).

3) Program Context has also been recognized as a very important input to advertising effects. Commercials and programs are designed to affect viewer's mood. Gardner (1982) argues that both commercials and surrounding programs may interact to affect the viewer's mood upon exposure to a commercial in ways that modify ad effects. In an attempt to associate feelings with the

product, some advertisers try to evoke a particular mood in the viewer. A clash will occur if program context and advertising provoke different moods. If the mood induced by the program is stronger, then the advertiser's attempt is wasted (Gardner, 1982).

II.2. Mood effects on memory and judgment

Morris' (1989) review of the mood literature argues that mood is associated with evaluative (controlled) and automatic cognitive processes, and to many kinds of overt behavior such as helpfulness, sociability, self-indulgence, alcohol use, and general activity preferences. He also argues that a ground-figure relationship exists in the individual's mood perception, (as in the Gestalt effects in pictures), mood being either ground or figure, depending on the individual's focal attention. He completes his argument saying that mood is only effective in altering people's behavior, when it is in the ground form, "because mood in this form does not come to attention or interrupt ongoing behavior" (page 71).

The known effects of emotional mood states on memory and cognitive process include: mood state dependency, mood congruent effects, effects on encoding and organization, and effects on the allocation of cognitive effort (Ellis, Thomas, McFarland, & Lane, 1985).

II.2.1 - Mood state dependency.

Events experienced in one psychological state are better retrieved when the same state is present. This is called state dependency. A mood match between encoding and retrieval appears to facilitate free recall if mood can be used as a retrieval cue. Otherwise, when such a cue is unnecessary due to the properties of the task or the stimulus, recall does not appear to be influenced by the mood at encoding (Gardner, 1984). Bowers (1981) argues that memories acquired in one state are accessible mainly in that state, but are dissociate or not available for recall in an alternate state. Despite the fact that the literature about mood state dependency effects presents mixed results, with some results confirming Bowers' findings and others failing to obtain it, there is a hard-to-deny classical anecdote example of the mood state dependency: individuals that learned something while drunk, will better remember those things if they get drunk again.

II.2.2 - Mood congruent effects.

Mood congruence effects refer to cases where the valence of the to-be-remembered material matches the mood state of the individual at the time of test, facilitating recall. This is distinct from mood dependent state, which implies that what one remembers during a given mood is determined, at least in part, by what one learned when previously in that state.

Research on the effects associated with mood during retrieval produces evidence for an asymmetry. Good mood appears to improve memory for positive material, but negative memories were not facilitated by bad mood (e.g. Isen et al., 1978). These findings are consistent with the network theories of the relationship between mood and memory (Bower, 1981; Clark and Isen, 1982).

II.2.3 - Mood State Dependency vs. Mood Congruence.

The observation of the research results on mood effects on memory leads one to the conclusion that a overlap exists between those two phenomena. The difference between them are that: 1) state dependency relies on the similarity of mood at encoding and at retrieval, which is irrelevant for mood congruence effects, and 2) mood congruence cannot account for effects of neutral stimulus, whereas state dependency can. This conceptual difference is very hard to account for in practical terms, due to: 1) the mood effects on our perception -- the perceived valence of the event tends towards the valence of the mood (Isen and Shalker, 1982); and 2) when mood is neutral the hedonically toned event alters the individual's mood (Barden, Garber, Duncan, and Masters, 1981). Because of that some authors (e.g. Blaney, 1986; Morris, 1989) are no longer looking for a distinction between the two phenomena for the proposal of understanding mood effects.

II.3 - The Effects of Mood on Perception and Judgment.

Morris (1989) defends that mood, both good and bad, has been shown to influence our perception and evaluation of words and other symbolic stimuli, events, nonsocial objects, other persons, self perception, attitudes about social issues, and our expectations of the future. Therefore, it is possible to argue that mood plays a major role in the way we perceive and judge our life's environment.

Theoretically, the way mood affects our perception and judgement is based on the same network theory explained above. Because affective states prime or make more available concepts and memories related to individual's feeling states, the biased sample available in memory can and should influence what we perceive and how we categorize it.

II.4 - The Effects of Sports on Spectator's Mood.

Sloan (1979) directly tested several theories related to the effects of sports in spectators' emotions. He found that Achievement Theory that conceptualizes success or failure as having central importance, can best account for the effects caused by football and basketball games (and maybe other sports' teams) because of strong identification with the teams. A victory will lead to an increase in satisfaction and pleasure, whereas frustration and hostility should be lower. The opposite should be true when a team loss is faced.

Therefore, considering the emotional aspects of a televised sports contest, the important point of Sloan's (1979) findings is that a victory will lead to an increase in satisfaction and pleasure, thereby modifying spectator's mood in the positive direction; the opposite is expected for a spectator fan of the loser's team.

III - Research Methods and Results.

The results presented here were obtained by secondary analysis of data collected during Super Bowl XXIV. The intention of this study is twofold: 1) to, once again, show the effects of program on viewer's evaluation of the advertisement; and 2) to highlight the effects of viewer's perspective (in this case winners, losers, and neutrals) in the evaluation of advertising.

III.1 - Development of Hypothesis.

The figure below presents a model for the effects of mood in advertising effectiveness. Some of its points are drawn from the past research presented above, and previous models developed by Lutz (1985), and Gardner (1982, and 1985).

The effects of TV program in the mood state was demonstrated by Johnson and Tversky (1983). Mood state's influence on the assessment of commercials and product evaluation was suggested by Petty et al. (1988). Individual differences' influence on commercial evaluation was proposed by Lutz (1985). Gardner, (1985) proposed that product predisposition influences commercial evaluation; and that commercial evaluation by its turn influences product evaluation.

(insert Figure 1 about here)

The general model here proposed is:

$$PE_i=B_0 + B_1CE_i + B_2PP_i + B_3CE_i*G_1 + B_4CE_i*G_2$$

Where PE_i is post-game evaluation of product i , CE_i is commercial evaluation of product i , PP_i pre-game evaluation of product i, and G_1 and G_2 are measurements of individual differences. The variables G_1 and G_2 are dummy variables comparing winners (G_1=1 for 49^{ers}'fans, 0 otherwise) and losers (G_2=1 for Broncos' fans, 0 otherwise) to neutrals respectively.

The first hypothesis developed by this project is that commercial evaluation is mediated by two factors: individual's mood state and product predisposition. Mood state was not measured directly but it is known to be controlled by the individual differences, or G_1 and G_2 in the above equation. Johnson and Tversky (1983) showed that a TV program can alter subject's mood state, and Petty et al. (1988) demonstrated that mood state can modify people's evaluation of products and commercials, therefore it is possible to believe that the viewer's perspective plays a major role in commercial evaluation. Sloan's (1979) achievement theory affirms that a game output is likely to influence spectators. One's team victory will lead to an increase in one's satisfaction and pleasure, while frustration and hostility should be lower; the opposite should be true for one's team loss.

Thereby, the game's result will act as a positive stimulus to winners that are expected to evaluate commercials more positively, compared to individuals that received a neutral (neutrals) or a negative (losers) stimulus. Hence:

Hypothesis # 1 : $B_2>0$ and $B_3<0$ in the equation:

$$CE= B_0 + B_1PP + B_2G1*PP + B_3G2*PP.$$

The second hypothesis refers to product evaluation, and it is a test for the whole model. Product evaluation is hypothesized to be dependent of product predisposition, commercial evaluation and mood state of the individual as it is modified by the stimulus effect. Here again, positive mood is expected to be related to product's higher evaluation as compared to negative mood or neutrals. Hence:

Hypothesis # 2 : $B_3>B_2>B_4$

In the following equation:

$$PE =B_0 + B_1PP + B_2CE + B_3CEG1 + B_4CEG2$$

III.2 - Methods and Data.

A. Subjects.

Sixty paid subjects, males and females, participated in the experiment. They were randomly selected from a 550 sample of individuals that belonged to or were friends of community organizations in Portland, Ore. Subjects rate of acceptance to participate was 35%. The money subjects earned was donated to their community organizations. All individuals participated in the experiment at the same time, and in the same room.

B. Apparatus.

The stimulus, the 1990 Super Bowl, was show on a wide TV screen (9′ x 12′). Data were collected using an audience response system and a self administered questionnaire. The audience response system is composed of simple individual electronic handsets with dials devices that subjects used to register their responses. These electronic handsets were connected to a central computer that registers all incoming information (see Biocca & David, 1990).

The electronic devices presented two possible modes subjects could use to input their answers: 1) using the dial in a discrete mode (this feature was used to answer some of the pre-game questions), and 2) using the dial in a continuous mode by turning the dial around on a seven-point scale. It was used to supply their assessment of the advertisement shown during the commercial breaks. Subjects' ratings of the advertisements were recorded by a computer that registered all scores every two seconds.

Three questionnaires (audience, pre-game, and post-game) were responded to, one using the above mentioned response audience system (audience questionnaire), and two other using the traditional paper and pencil method (pre- and post-game). Before the game started subjects answered two questionnaires. The first, the pre-game questionnaire, was a booklet with 12 seven-points semantic scales--good/bad, awkward/graceful, high/low, reputable/disreputable, soft/hard, strong/weak, light/heavy, masculine/feminine, passive/active, excitable/calm, cold/hot, fast/slow. Subjects used this to rate: a) themselves, b) Pepsi, c) Coke, and d) 7-UP. Each item was presented on a different page and subjects used the traditional paper and pencil method to complete it.

The second questionnaire, the audience questionnaire, contained 22 questions, with the pertinent questions asking for demographic data, plus information on TV habits, TV football watching habits, media consumption habits, team preference (between the two contenders), amount of like and dislike for each of the contenders, preference of cola-type drink, amount that subjects' like and dislike Coke and Pepsi. To answer these questions subjects used the dial in the discrete mode, thereby developing familiarity with the device. Questions were presented orally and subjects answered by turning the dial to a number that expressed their answer, results were registered by the computer.

C. Procedures.

The experiment was conducted in Portland, Oregon, during Super Bowl XXIV in 1990. After all subjects arrived, they were greeted by the moderator and received basic instructions about the mechanics of the experiment and apparatus. Subjects had to perform very simple tasks. All subjects had to do was to watch the Super Bowl game on the wide screen television and evaluate each advertisement by moving the dial of the electronic device to represent his/her assessment, on a like-dislike seven point scale, throughout the commercial break. One end of the scale (value=one) meant strongly dislike, whereas the other end (value=seven) meant strongly like, the middle point (value=four) was neutral.

During the game subjects were asked to leave the dial in the neutral position (number four) and move it only when the commercial pod started. Subjects were also oriented to move the dial to the neutral position at the end of each individual advertisement.

At the end of the game a new questionnaire was introduced, the post-game questionnaire. It was the same as the pre-game questionnaire, with the inclusion of an unaided recall, at the beginning of the questionnaire, for the commercials they have seen during the game. The intention of this questionnaire, besides the memory test, was to repeat the previous evaluation of themselves, Coke, Pepsi, and 7up after the game in order to capture the stimulus effect (if any).

It is important to note that for the purpose of this study the rated ads that will be considered are the Coke (including diet), and Pepsi (also including diet) ads. On the semantic scales, only 7-UP's will not be included in the analysis.

This study design is, as presented by Cook and Campbell (1979), "The Reversed-Treatment Nonequivalent Control Group Design with Pretest and Posttest."

This design can be diagramed as:

positive effects O_1 X+ O_2

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negative effects O_1 X- O_2

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no effects (control) O_1 X0 O_2

where X+ represents a treatment that is expected to influence an effect in one direction, X- represents the conceptually opposite treatment that would be expected to reverse the pattern of findings in the X+ group, and X0 represents the no treatment situation.

In the diagram above O_1 and O_2 depict the pretest and posttest measurements represented by the pre-game and post-game questionnaires respectively. The X+, X-, and X0 are the expected effects that the game outcome (the stimulus) will have in the fans of the winner's team, loser's team, and individuals with no team preference respectively. What is expected is that the game result will affect viewers differently depending on their team preferences, thereby modifying their mood in the directions posited by the valence of the X signal (Sloan, 1979). Hence, winners are expected to be in a positive mood after the game, whereas losers' reactions are expected to be in the opposite direction.

III.3 - Data analysis

The data collected generated a very large number of data points for each subject. These data had to be summarized in order to permit an evaluation of the results. For instance, for each subject there were 72 data points for the semantic scales: 12 (semantic scales) times 3 dimensions (Coke, Pepsi, and self) times 2 (pre and post measurements). With 55 subjects and 12 semantic scales there is no data reduction technique that permits a reliable grouping of the data. Therefore, the 12 semantic scales were grouped in three different factors as suggested by the extensive work of previous research by Osgood et al. (1957).

Besides the small ratio of subjects by variables, there are two other important factors that justify the above decision: 1) the primary criteria for the scales selection were the loads in the above factors; and 2) those factors repeatedly appear when the intercorrelations among many scales are factor analyzed; it is therefore possible to induce that these factors correspond to the major dimensions people "naturally" and "spontaneously" use in making judgments (Osgood et al., 1957; p.143).

The factors are as follows: a) evaluative factor including the following scales: good/bad, awkward/graceful, high/low, and reputable/disreputable (this factor is better illustrated by the good/bad scale); b) potency factor containing: soft/hard, strong/weak, light/heavy, and masculine/feminine scales (the more characteristic scale here is strong/weak); and c) activity factor formed by passive/active, excitable/calm, cold/hot, and fast/slow scales (passive/active scale is the more representative scale here).

Five of these scales--awkward/graceful, soft/hard, light/heavy, passive/active, and cold/hot--had to be inverted in order for the evaluation to be in the same direction (positive loading in the factors) as the other scales. For the purpose of analysis, only, the seven-point scales were labeled 3, 2, 1, 0, -1, -2, -3 (subjects received the scales without labels, except for the two extreme anchors).

There were nine commercials for either Coke (four commercials) or Pepsi (five commercials) during the game. Some data were lost during the process of data collection, including one of the commercials for Pepsi. Hence, only eight commercials were available for analysis. Subjects' ratings of the commercials (one value collected every two seconds) were summarized by the calculation of the mean rating for the entire commercial. This value, named "commercial rating," was calculated for each subject, and used for the entire analysis.

III.4.1 - Classification of Subjects.

Five out of the 60 subjects were dropped from the analysis because of incomplete data in any of the phases (three subjects failed to write their subject number on the paper and pencil questionnaire and could not be identified, and one failed to answer the post-game questionnaire). Therefore, the analysis proceeded with only 55 subjects.

Subject breakdown was based on self-reported team preference in the audience questionnaire prior to the game: Broncos, 49ers, and neutrals. There were 21 Bronco's fans (38%), 24 49ers' fans (43%), and 12 neutrals (21%). Table 1 presents the descriptive statistics for the semantic scales and commercial evaluation.

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insert Table 1 about here

IV.4.2 - The semantic scales

The semantic scales were applied here as a manipulation check. Thereby, a comparison of the pretest results (pre-game questionnaire) to the postest results (post-game questionnaire) is expected to yield opposite reactions for fans of the winner team (49ers) compared to the loser team (Broncos), whereas neutrals should less affected or unaffected.

Because there are only two measurements, before and after the game, the effectiveness of the evaluation will depend on the stimulus effect as a whole, with an increased importance given to its final part, at the end of the game, when stimulus effect and measurement are closer. This is at the same time the major advantage and major problem with this field experiment. It is an advantage because this kind of measurement does not suffer from artificial manipulations, and it makes it possible to measure the built in stimulus' effect. On the other hand, there is no way to manipulate the stimulus to make it more effective, for instance to evaluate extreme effects, or to comparably measure the effects occurring during different phases of the stimulus presentation.

One extra advantage in this field experiment, concerning the semantic scales, is that the game's length will prevent test learning effects, i.e. after almost three hours of continuously watching the game and commercials subjects will find it difficult to remember responses given in the pre-game questionnaire. Therefore, the effects (if any) should be credited to the experiment.

The three factors' scores were computed by adding the values of individual scales by each individual dimension: Coke, Pepsi, and self evaluation. The evaluative factor thus resulted from adding the following scales: good/bad, awkward/graceful, high/low, and reputable/disreputable. Similarly, potency and activity factors were computed by summing the respective scales.

IV.4.3 - Commercial Evaluation

Subjects' evaluations of the commercials were computer registered every two seconds, and based on a seven-point like/dislike semantic scale, as described in the methods section. The eight commercials of interest for this research are four Pepsi commercials (three 30s commercial and one 60s commercial), and four Coke commercials (two 30s and two 60s commercial).

For each of the 30s commercials an average of 15 measurements were recorded for each subject, and similarly an average of 30 measurements were recorded for each 60s commercial. The "commercial rating" of the subjects is the result of averaging all these points.

The nature of this experiment does not permit controlling the order or length of the commercials. Although, in some cases it may be of concern, it is not the case here because this project is interested in comparing two groups of subjects (winners and losers) controlled by commercial, and there is no reason to believe that order of presentation or length of the commercials will not affect both groups equally.

IV.5 - Results

The final result of this game (55 to 10 favoring the 49ers), and the way the score developed made the end of the game easy to foresee. It is very likely that some of the effects that may have differentiated the two groups during the game had already disappeared at the end due to the boredom of watching an uninteresting game for more than one hour (almost the entire second half).

Even considering that the game was an easy victory or a sure loss (depending on the viewer's point of view) and that this may have taken away some of the expected effects, some of the results obtained here are very robust.

IV.5.1 - Pre- and post-game measurements

A direct comparison between pre-game and post-game evaluation of the three dimensions on all three factors for the three groups show statistically significant difference (paired t-test) in the self-evaluation dimension. This dimension is the most likely to be affected by the mood generated by the program, because of a self-reference factor. However, the direction of these comparisons did not follow the theoretical predictions (positive for winners, negative for losers) (see Table 2). All the statistically significant comparisons of post-game minus pre-game resulted in a positive value, meaning post-game evaluations were higher than pre-game.

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insert Table 2 about here

However, the direction of the change is not the only parameter that measures the stimulus effects on subjects. The magnitude of this change also deserves consideration. There is some indication in the mood literature that subjects in a good mood seem to categorize material differently. For instance, Isen (1984) found that people in a good mood rated weak exemplars of a category (e.g. camel, feet, and elevator as member of the category vehicle) as having a higher level of membership in the category than did subjects in the control group. This may imply that the perceived distance between concepts is affected by subjects' mood.

The perceived pairwise distance between the concepts was assessed by the generalized distance formula of solid geometry (D_{il}). This distance measures subjects' perception of the similarity between pairs of concepts. "D_{il}" is the linear distance between the points 'i' and 'l' in the semantic space; these two points represent the subjects representation of concepts 'i' and 'l' (Osgood et al., 1957). For the present project the concepts under consideration are Coke, Pepsi, and self-evaluation.

This distance is calculated by taking the difference between the scores of two concepts on each factor, squaring these differences, summing these squares, and taking the square root of the sum. Osgood et al (1957) suggests that the use of 'D' is either to index the distance between concepts as judged by a individual (or group), or to compare two groups in how similar they perceive a set of concepts. Those authors defend this as the normal operation of the semantic differential because, as its name implies, it is a way of differentiating meaning of a concept.

For the present purpose, the important question is how the subjects in the different groups are influenced by the game results and the effects of that influence in the subjects' perception of the meaning of the concepts. Before the game (pre-game evaluation) there was a substantial similarity in the 'D' values of all three groups for all pairwise distances between concepts. The same distances calculated after the game show a considerable increase for the winners and neutral group, whereas in the losers group there was almost no difference (see figure 2).

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insert Figure 2 about here

Integrating the above results with Isen's (1984) findings, it is possible to believe that the broader categorization presented by subjects in a good mood is due to the better distinction among concepts. One of the reasons a member of a category is judged to be in a lower rank is because such member is perceived as being near the border between two (or more) categories. As the distance between the concepts increases, so does the rank of less prototypic members, because those members are then perceived as less fuzzy within that category.

IV.5.2 - Commercials evaluation

The analysis of the commercials' ratings will take into consideration how the two groups differ within each commercial, as opposed to comparing the ratings among commercials. The basic assumption here is that the stimulus to be rated is the same for both groups, but the responses can be modified due the effects of the game's result (partial) on subjects' mood.

The likelihood of the game's outcome, and/or the game's score are factors that influence the magnitude of the above effects. Zillman et al. (1978) posited that the interaction between the game's likelihood and the actual game's result is a major modifier of the feelings provoked by a sport contest. A close loss to a clearly overpowering team is commemorated as a victory, whereas a close win to a less powerful team is suffered as a defeat. Sloan (1979) measured the effects of a difficult win, easy win, and a sure loss on spectators' feelings and also found that the interaction between the game's likelihood and the results is the major modifier of spectators feelings at the end of the game.

The important factor to be considered is that under the same conditions, TV viewers will like more (or less) the embedded commercial depending on the mood generated by the program, and even more importantly, this mood will be different depending on viewers' perspective.

The above argument seems to apply directly to the results here obtained. As the game evolves, and becomes a lopsided game favoring the 49ers, fans of the winning team gradually develop a mood improvement as compared to the losing team fans. The peak of this change is at the point where the score reaches 34 to 3, commercial # 6, favoring the 49ers. At this point there is the largest difference in "commercial rating" between the two groups (winners and losers).

Another clear effect of the game's development on subjects' rating of commercials can be observed in the Pepsi commercial near the end of the game, when there is a touchdown of the loser team. Despite the fact that the score is 41 to 10 the commercial rates from all three groups were leveled (and reach the highest rate for the whole game), as if the game had suddenly become interesting again, improving positively the mood of all spectators. The fans of the loser team, who had been giving the lowest ratings during the game (compared to winners and neutrals), gave this commercial the highest rating of the game (see Figure 3).

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insert figure 3 about here

IV.5.3 - Test of Hypothesis

A. Hypothesis # 1.

In order to test hypothesis # 1--how pre-game evaluation of the products and team preference predict commercial evaluation--we create a new variable by combining all three factors from the semantic scale into one unique factor (in order to reduce the number of variables in the equation), by adding their scores for each product. This new variable has no specific meaning, it is used here as a simple measurement of the product evaluation; for example, the potency factor, evaluative factor, and activity factor for Pepsi pre-game evaluation were combined into the "Pepsi pre-game" evaluation factor. Similar procedure created the "Coke pre-game" factor.

A series of regression analyses were performed using each individual commercial as a dependent variable and the five new variables as independent variables. For the Pepsi commercials the independent variables used were the Pepsi related variables, and likewise for the Coke commercials Coke related variables were applied. Variables were introduced one at a time in the equation, in the same order presented in Table 3.

The results obtained did not allowed us to make any conclusions. We were unable to reject the null hypothesis. Two factors may be responsible for these rather weak results: 1) the, already mentioned, lopsided result of the game made it less interesting removing some of the expects effects; and 2) the experimental setting may have screened out some of the hard-core fans, who are more likely to react strongly to the game's results, and by the same token are not likely to participate in an experiment, missing the opportunity to gathering with their peers to watch the game (1).

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insert Table 3 here

B. Hypothesis # 2.

A different proposition is tested by hypothesis # 2. Here the interest is in observing how the commercial evaluation and its interaction with team preference explains the products evaluation after subjects have been exposed to the stimulus.

Again, this project made use of the regression analysis in order to test how commercial evaluation, team preference, the interaction between commercial evaluation and team preference, and of course, product predisposition can predict product evaluation after subjects were exposed to the stimulus. The same dependent variable was used in all equations, where Pepsi was under consideration, the post-game evaluation of the product Pepsi (a combination of post-game evaluation factors --. potency factor, evaluative factor, and activity factor into a unique factor) was the dependent variable, and similarly in the Coke analysis. Variables were entered in the equation in the same order presented in Table 4.

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(1) We are greatful to Charlotte Mason for this suggestion in an earlier version of this paper.

Of course, the most important variable in all equations is the product predisposition that accounts for a very large portion of the variance explained in the post-game product evaluation. However, team membership, and its interaction with commercial evaluation, arise as a very important set of variables that account for as high as 17% (2) of the variance in the post-product evaluation (see Table 4).

insert Table 4 about here

IV.6 - Discussion

While the results are not statistically conclusive there is a clear trend in the data. This trend allow us to clarify how viewer's evaluation of commercials and products is mediated by the program content interaction with viewer's point of view. We are in a position, after analyzing these data, to suggest that this effect is likely to exist. This suggestion is based not only on some of the results from this study, but other results found in the literature.

For instance, the commercial ratings are a clear representation of the interaction of a commercial evaluation and viewer's perspective of a televised program. The difference of rating between winners and losers, despite not being statistically significant for most of the comparisons, shows a clear trend towards the effects posited by Sloans' Achievement theory. Sloan's theory is directly applicable to sports spectators, however it can be extended to other areas as well. It is expected that other programs where viewers perspectives are important or controversial (e.g., political contests or news), similar results can be obtained.

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(2) This value (17%) was obtained by subtracting the variance explained at step 1 from the variance explained at step 5, in the regressions involving Pepsi commercials #6 and #7 (see Table 4).

Researchers have generally agreed about the importance of emotions in the study of advertising effects. Basic research suggests that excitement as an aspect of media environment is a powerful construct overlooked by marketers and deserving much future investigation (Singh & Hitchcon, 1989). Schuman and Thorson (1987) proposed that viewer response to commercials is overwhelmed by viewers' response to the program. Singh & Hitchcon (1989) argue that recent research interest is in how people's moods affect their reaction to commercials. Clark (1982) argues that there is little doubt that moods are capable of influencing a wide variety of judgements and behaviors. Subjects in a positive mood tend to behave in a more positive fashion than would otherwise be the case.

However, one point that is under discussion by researchers is how arousal, mood, and other emotions interact. Weinner (1982) points out that the main interest in this debate seems to be if arousal influences other emotions. Some researchers (e.g., Clark, 1982) believe that arousal is an integral part of what an emotion is, whereas others (e.g., Mandler, 1982) question whether arousal is necessary for the experience of an emotion.

There is some evidence that arousal enhances mood effects (Clark, 1982). By the same token, there is evidence that relaxation inhibits mood effects (Barlett, Benlesoy, & Sadrock, 1982). Therefore, the question of what kind of emotion is responsible for the results found in this project becomes very important, because television programs are a clearly mix of aroused moments and relaxed moments.

If a distinction is to be made between mood effects and arousal effects on the present results, it seems that it is more likely that the results were a function of the mood generated by the program. Zillman (1982) contends that the effects of residual arousal from pre-exposure experience intensify the affective reaction to communications regardless of the hedonic valence of the prior experience from which it is derived. Therefore, assuming for a moment that there were no mood effects and spectators were only aroused by the game, it is unlikely that this effect will differentiate between winners and losers.

It is thus very unlikely that the effects observed in this project are due only to the fact that subjects were aroused by the program, because of the valence found in the commercial evaluation during the game and in the semantic differential after the game. This is not to say that there were no arousal effects, or that the mood effects were or were not enhanced by the arousal provoked by the game. It is beyond the scope of this project to decide this issue. For now, it is important to point out the opposing effects a single program can have on viewers as a result of difference in perspective, and that these effects can be attributed to the induced mood state.

The initial findings here reported may be extended to other types of programs outside sports. Due to the results obtained here, it is possible to believe that a program's content that generates controversy (for instance political programs, game shows, films, and even news) can prompt a diversity of moods and effects similar to the ones observed here. Just as some advertising researchers now have included program content as a major modifier of the commercial evaluation, the results presented here point out that not all subjects are affected in the same fashion, and that the differences among subjects are likely to influence the results of a commercial evaluation.

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Table 1: Descriptive Analysis

Comm. Rates

Commercial	Mean	S.E. Mean
Comm. # 1	4.440	0.12
Comm. # 2	4.410	0.11
Comm. # 3	4.940	0.20
Comm. # 4	4.920	0.19
Comm. # 5	4.080	0.08
Comm. # 6	4.300	0.15
Comm. # 7	5.210	0.15
Comm. # 8	4.450	0.11

Self Evaluation

Factor	Mean	S.E. Mean
Evaluative	4.380	0.32
Potency	0.840	0.39
Activity	0.410	0.46

Pepsi Evaluation

Evaluative	2.660	0.42
Potency	1.680	0.37
Activity	2.050	0.40

Coke Evaluation

Evaluative	3.340	0.69
Potency	3.000	0.46
Activity	1.750	0.60

Table 2: Pre- and Post-Game Concept Evaluation

Factors	Self		Pepsi		Coke	
	pre	post	pre	post	pre	post
Evaluation						
Losers	5.00	7.24*	3.80	5.95**	3.81	4.38
Winners	3.74	7.48***	1.39	2.65	3.48	4.91*
Neutrals	4.50	6.25++	3.08	4.42*	2.25	1.58
Potency						
Losers	0.52	5.67***	1.19	2.48	3.05	3.90++
Winners	0.52	3.30*	1.96	0.83	3.17	4.04
Neutrals	2.00	5.50***	2.00	2.58	2.58	2.58
Activity						
Losers	-0.24	4.05**	1.62	2.62	2.43	2.81
Winners	0.39	5.00***	1.78	0.91	1.96	2.65
Neutrals	1.58	5.33++	3.33	2.75	0.17	1.75

Note:
++ $p < .10$
* $p < .05$
** $p < .01$
*** $p < .001$

Table 3: Regression Analysis Results - Hypothesis #1
Pepsi Commercials

IV = Comm 1

Order	Variable	Beta	R^2	F	DF
Step 1	Pepsi Eval.	.10	.01	0.56	1,54
Step 2	G1	.17	.04	1.10	2.53
Step 3	G2	.20	.06	1.14	3,52
Step 4	Pepsi X G1	.29	.09	1.26	4,51
Step 5	Pepsi X G2	-.06	.09	1.00	5,50

IV = Comm 2

Order	Variable	Beta	R^2	F	DF
Step 1	Pepsi Eval.	.12	.01	0.39	1,54
Step 2	G1	-.09	.02	0.59	2.53
Step 3	G2	.19	.04	0.77	3,52
Step 4	Pepsi X G1	.00	.04	0.57	4,51
Step 5	Pepsi X G2	-.27	.06	0.67	5,50

IV = Comm 6

Order	Variable	Beta	R^2	F	DF
Step 1	Pepsi Eval.	.14	.02	1.03	1,54
Step 2	G1	-.26$^+$	.09	2.55$^+$	2.53
Step 3	G2	.09	.09	1.76	3,52
Step 4	Pepsi X G1	.08	.09	1.33	4,51
Step 5	Pepsi X G2	-.05	.10	1.05	5,50

IV = Comm 7

Order	Variable	Beta	R^2	F	DF
Step 1	Pepsi Eval.	.04	.00	0.10	1,54
Step 2	G1	.03	.00	0.07	2.53
Step 3	G2	.03	.00	0.05	3,52
Step 4	Pepsi X G1	-.10	.01	0.09	4,51
Step 5	Pepsi X G2	-.11	.01	0.10	5,50

(continued)

NOTE: $^+ p < .10$

Table 3: Regression Analysis Results - Hypothesis #1
Coke Commercials

IV = Comm 3

Order	Variable	Beta	R^2	F	DF
Step 1	Coke Eval.	.22	.05	2.83	1,54
Step 2	G1	-.09	.06	1.64	2,53
Step 3	G2	.04	.06	1.09	3,52
Step 4	Coke X G1	-.16	.07	0.95	4.51
Step 5	Coke X G2	.05	.07	0.75	5.50

IV = Comm 4

Order	Variable	Beta	R^2	F	DF
Step 1	Coke Eval.	.33*	.11	6.67*	1,54
Step 2	G1	-.08	.12	3.50*	2,53
Step 3	G2	-.03	.12	2.30+	3,52
Step 4	Coke X G1	-.01	.12	1.69	4.51
Step 5	Coke X G2	.25	.13	1.50	5.50

IV = Comm 5

Order	Variable	Beta	R^2	F	DF
Step 1	Coke Eval.	.27*	.07	4.22*	1,54
Step 2	G1	-.16	.10	2.87+	2,53
Step 3	G2	-.06	.10	1.91	3,52
Step 4	Coke X G1	-.07	.11	1.53	4.51
Step 5	Coke X G2	-.15	.11	1.26	5.50

IV = Comm 8

Order	Variable	Beta	R^2	F	DF
Step 1	Coke Eval.	.18	.03	1.92	1,54
Step 2	G1	.04	.04	1.00	2,53
Step 3	G2	.22	.06	1.18	3,52
Step 4	Coke X G1	-.14	.07	1.00	4.51
Step 5	Coke X G2	-.15	.07	0.84	5.50

NOTE: $^{+}p < .10$
$^{*}p < .05$

Table 4: Regression Analysis Results - Hypothesis #2
Pepsi Commercials

IV = Post-Game evaluation of Pepsi

Order	Variable	Beta	R^2	F	DF
Step 1	Comm 1	.06	.00	0.22	1,54
Step 2	G1	.24+	.06	1.69	2.53
Step 3	G2	-.28	.11	2.05	3,52
Step 4	Comm 1 X G1	-.85	.13	1.90	4,51
Step 5	Comm 1 X G2	.90	.14	1.56	5,50
Step 6	Pepsi Eval	.50***	.37	4.73***	6,49

IV = Post-Game evaluation of Pepsi

Order	Variable	Beta	R^2	F	DF
Step 1	Comm 2	.25	.06	3.72+	1,54
Step 2	G1	.27*	.14	4.16*	2.53
Step 3	G2	-.22	.16	3.39*	3,52
Step 4	Comm 2 X G1	-.69	.18	2.71*	4,51
Step 5	Comm 2 X G2	-1.26	.20	2.47*	5,50
Step 6	Pepsi Eval	.45***	.37	4.88***	6,49

IV = Post-Game evaluation of Pepsi

Order	Variable	Beta	R^2	F	DF
Step 1	Comm 6	.22	.05	2.63	1,54
Step 2	G1	.32	.14	4.40*	2.53
Step 3	G2	-.29+	.19	4.10*	3,52
Step 4	Comm 6 X G1	-.61	.22	3.55*	4,51
Step 5	Comm 6 X G2	-.07	.22	2.78*	5,50
Step 6	Pepsi Eval	.44***	.40	5.33***	6,49

IV = Post-Game evaluation of Pepsi

Order	Variable	Beta	R^2	F	DF
Step 1	Comm 7	.20	.04	2.29	1,54
Step 2	G1	.24+	.10	2.85+	2.53
Step 3	G2	-.28	.14	2.87*	3,52
Step 4	Comm 7 X G1	-1.16+	.20	3.17*	4,51
Step 5	Comm 7 X G2	.66	.21	2.63*	5,50
Step 6	Pepsi Eval	.46***	.41	5.64***	6,49

(continued)

NOTE: + $p < .10$
* $p < .05$
*** $p < .001$

Table 4: Regression Analysis Results - Hypothesis #2
Coke Commercials

IV = Post-Game evaluation of Coke

Order	Variable	Beta	R^2	F	DF
Step 1	Comm 3	.27*	.07	4.09*	1,54
Step 2	G1	.09	.08	2.23	2,53
Step 3	G2	.25	.11	2.20+	3,52
Step 4	Comm 3 X G1	-.28	.12	1.73	4,51
Step 5	Comm 3 X G2	.75	.14	1.69	5,50
Step 6	Coke Eval	.83***	.76	26.48***	6,49

IV = Post-Game evaluation of Coke

Order	Variable	Beta	R^2	F	DF
Step 1	Comm 4	.37**	.14	8.59**	1,54
Step 2	G1	.09	.15	4.48*	2,53
Step 3	G2	.26	.18	3.87*	3,52
Step 4	Comm 4 X G1	-.15	.18	2.88*	4,51
Step 5	Comm 4 X G2	.97	.22	2.85*	5,50
Step 6	Coke Eval	.80***	.77	26.67***	6,49

IV = Post-Game evaluation of Coke

Order	Variable	Beta	R^2	F	DF
Step 1	Comm 5	.16	.03	1.37	1,54
Step 2	G1	.09	.03	0.89	2,53
Step 3	G2	.27	.07	1.38	3,52
Step 4	Comm 5 X G1	.19	.07	1.02	4,51
Step 5	Comm 5 X G2	1.28	.10	1.05	5,50
Step 6	Coke Eval	.88***	.77	27.33***	6,49

IV = Post-Game evaluation of Coke

Order	Variable	Beta	R^2	F	DF
Step 1	Comm 8	.07	.00	0.24	1,54
Step 2	G1	.06	.01	0.80	2,53
Step 3	G2	.26	.05	0.84	3,52
Step 4	Comm 8 X G1	-.39	.05	0.68	4,51
Step 5	Comm 8 X G2	-.04	.05	0.54	5,50
Step 6	Coke Eval	.87***	.76	26.31***	6,49

NOTE: + $p < .10$
* $p < .05$
** $p < .01$
*** $p < .001$

Figure 1: General Model of Mood Effects

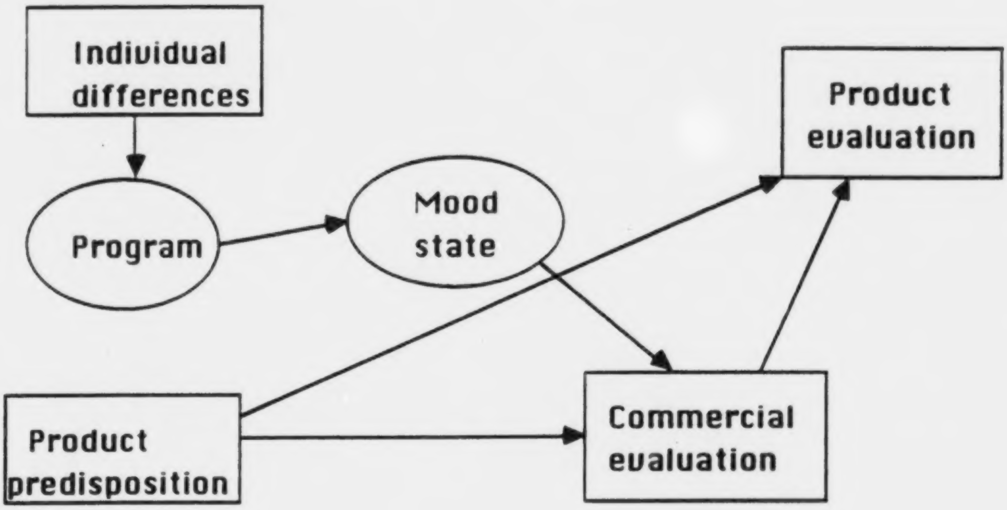

Individual differences
Program
Mood state
Product evaluation
Product predisposition
Commercial evaluation

Figure 1

Figure 2:
Perceived Distances of Concepts
Pre- and Post-Game Comparison

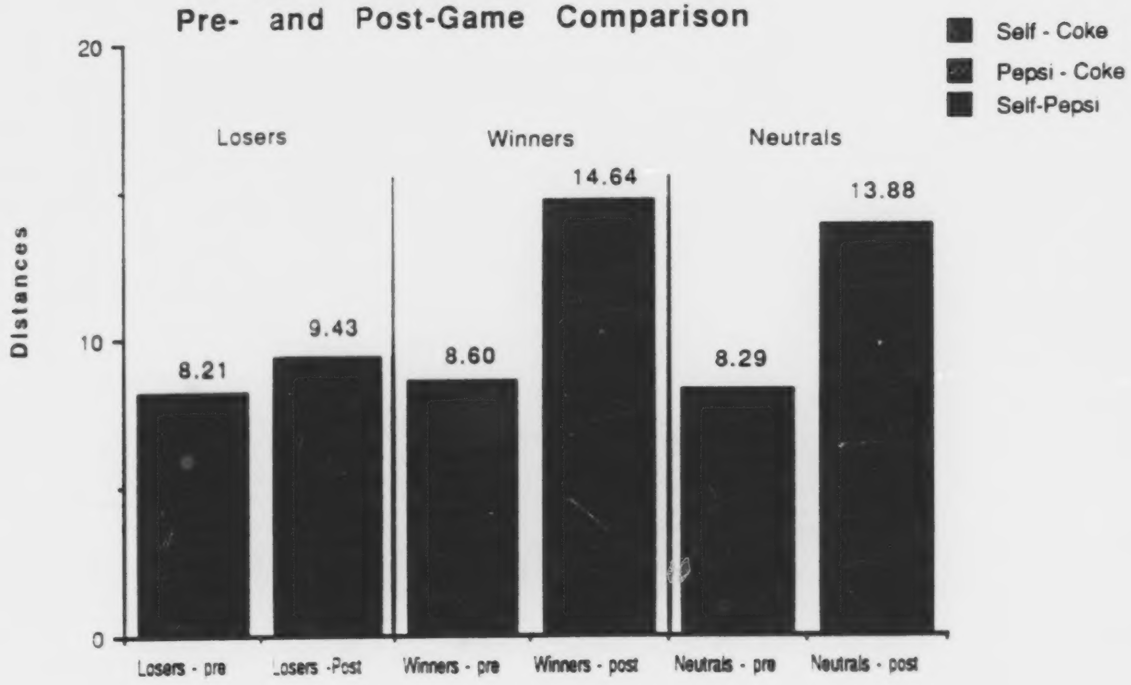
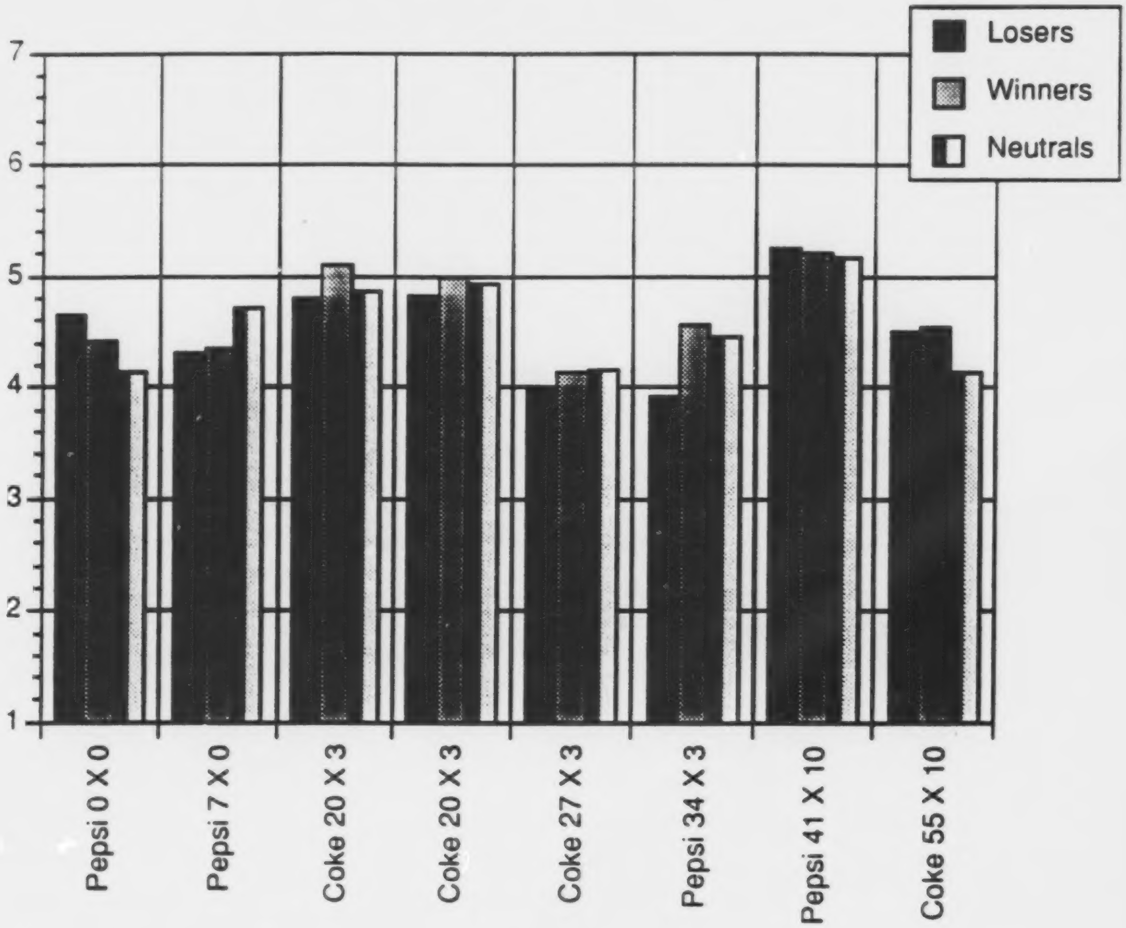


Figure 3:
Mean Comparison by Commercial and Score
Winners, Losers, and Neutrals Ratings



note: Labels on axis X represent the product being advertised and the game score (winner X loser).

Fifty Years of Disability Coverage in *The New York Times*

John S. Clogston
Northern Illinois University

Paper accepted for presentation by
The Committee on the Status of Disabled People,
Association for Education in Journalism and Mass Communication,
In convention at Montreal, Canada, August 5 - 8, 1992

Fifty Years of Disability Coverage in The New York Times

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Department of Journalism
Northern Illinois University

As the United States begins implementing the Americans with Disabilities Act, media attention has focused on the 43-million Americans with disabilities. But those with disabilities have made up part of the population since the beginning of the country. It is valuable to understand how the news media have covered disability issues in the past, in order to evaluate and improve present coverage. This examination of disability coverage in *The New York Times* is an attempt to give a rough idea of the way disability issues have been covered during last 50 years.

Social perceptions and ways of thinking about society and about disability are affected by many factors and are reflected in various forms of mass media. Trends, styles, ideas and ways of interpreting society all find their way into the output of this country's broadcast and print media.

An appropriate way to measure society's attitudes toward disability as reflected in the media is through content analysis of a medium's output (Babbie, 1983). Media content studies of non-mainstream groups have, in the past 25 years, tended to focus on African Americans and women, with some other groups such as older Americans and those with mental and physical disabilities receiving some attention.

Content studies of persons with disabilities have consisted primarily of head-counts of the number of individuals with disabilities present in the media (e.g. Byrd, Byrd & Allen, 1977; Byrd & Pipes, 1981; Byrd, Williamson & Byrd, 1986; Cassata, Skill & Boadu, 1979; Gerbner, 1961; Taylor, 1957) or literary and critical analyses which concluded that people with disabilities are portrayed stereotypically and negatively in various media (Elliott, 1983; Gerbner, et al., 1981; Kriegel, 1969; 1987; Longmore, 1987; Leonard, 1978; Zola, 1985; 1987). Examinations of American newspaper coverage of disability have found that coverage has generally reinforced traditionally negative images of disabled individuals as weak, helpless and powerless.

One examination of newspaper coverage of disability issues was Biklen's (1987) case study of news coverage of two national stories–the Baby Jane Doe and Elizabeth Bouvia cases. Biklen concluded that press coverage of these issues was over-ridingly condescending and paternalistic.

Yoshida, Wasilewski and Friedman (1990) found that the traditional topics of budget expenditures, housing and institutionalization were the most prevalent in five metropolitan newspapers. Keller, et al. (1990) found that persons with disabilities were noted in feature stories rather than in hard news stories, and that these articles tended to present the negative impact of disability on people's lives.

Clogston (1990) examined 16 prestige and high circulation newspapers and found that while coverage was not overwhelmingly negative, neither was it positive or progressive.

Out of the thousands of newspapers in the U.S., *The New York Times* is considered a leader by many. Although it does not even boast the highest circulation in its own market, it is respected and read by many of the nation's journalists and considers itself a "newspaper of record." Newspaper researchers consider *The New York Times* to be a "prestige" newspaper, one of a group whose coverage of issues is considered significant "because of both their influence on the public and their influence on other newspapers. [Prestige newspapers'] performance is something of a gauge of the performance of the press as a whole because they represent the best in American journalism."(Stempel, 1961, p. 15) This influence beyond its circulation figures makes *The New York Times* an appropriate, though by no means exhaustive measure of society's trends and perceptions.

While content analysis of newspaper output is customarily done by studying the articles themselves, *The New York Times* has published a fairly comprehensive index of its articles for more than a century. While a rigorous study of newspaper content should be done at the newspaper article level, for a pilot study to discover what, if any general trends in social attitudes might exist, *The New York Times Index* provides a readily available listing of article subjects.

The purpose of this study is to ascertain the perspective of the news media's coverage of physical disability as measured by story types listed in *The New York Times Index* from 1941 to 1989.

Models of Perceptions of Disability

Societal perceptions of persons with disabilities can be divided into two general types based upon society's willingness to accept participation of non-mainstream individuals in everyday life. The first group of perceptions can be designated as traditional and is based on consideration of non-mainstream groups as deviants (Becker, 1963), or flawed or stigmatized individuals (Goffman, 1963; Stafford & Scott, 1987). The second group, called here progressive, views the individual with a disability as one who has the ability and the right to participate in all aspects of society (Stroman, 1982).

The traditional perspective includes medical and social welfare/economic models of perceptions of disability. These consider persons with disabilities as dysfunctioning in a medical and/or economic way. The traditional perspective assumes that because of an inability (real or perceived) to function in a physical, social and occupational environment designed by and for those without disabilities, those with disabilities are to be cared for (medically and/or economically) by society. (Gliedman & Roth, 1980; Hahn, 1982; 1985).

The progressive outlook includes minority or civil rights and cultural pluralism models of disability. These outlooks view a disability's limitations as lying not within the individual but in society's inability or unwillingness to adapt its physical, social and occupational environments to accommodate all members of the population (Bogdan & Biklen, 1977).

Methods

The Sample

Entries in *The New York Times Index* for eleven different years at five year intervals from 1941 to 1991 were analyzed. The sample included entries from the years 1941, 1946, 1951, 1956, 1961, 1966, 1971, 1976, 1981, 1986 and 1991.

The 50-year time span was chosen to allow inclusion of both pre- and post-World War II medical and rehabilitation effects, the postwar baby boom and economic prosperity of the 1950s and 1960s, the Great Society programs of the 1960s, the rise of the disability rights movement in the 1970s, governmental cutbacks and advances in medical and adaptive technology in the 1980s and the ramifications of the Americans with Disabilities Act in the early 1990s.

The index categories included in the sample were not selected with the intent of being exhaustive of the subject possibilities regarding disability coverage in the newspaper and the index. Instead, topic headings commonly considered to be representative of physical (as opposed to mental) disability were used.

The index categories include general topics such as Handicapped and Crippled. Also included were more specific conditions such as Blindness, Cerebral Palsy, Deafness, Multiple Sclerosis, Muscular Dystrophy, Paralysis and Spinal Cord Injury. Entries listed under societies and organizations related to (and referenced with) these conditions, such as The New York Association for the Blind and the National Association of the Deaf, also included along with other entries cross-referenced under the Handicapped heading.[1]

The Categories

Fifteen categories based on the progressive and traditional perceptions of disability were developed, seven progressive and eight traditional.

Progressive

1. *Discrimination issues*— These are entries which note the civil rights of persons with disabilities or the need for those rights. An example of this category would include entries from the 1940s and 1950s detailing interviewees who were quoted as "decrying discrimination against the handicapped." Other, more recent entries deal with protests by members of the disability rights movement (1976) and reports on discrimination claims made under provisions of the Americans with Disabilities Act (1991).

2. *Awareness Issues* – These are entries dealing with non-disabled persons' attitudes toward people with disabilities, An example of this is a 1976 article by Fred (Mister)

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[1] Entries under Infantile Paralysis (1941-1971) and Poliomyelitis (1976-1985) were not included for reasons of convenience (the sample size would have doubled during the epidemic year of 1951 and the post-vaccine year of 1956), and because the overwhelming emphasis on the medical aspects of the epidemics and the vaccine would have skewed the sample toward the Traditional medical model.

Rogers on the different attitudes adults and children have toward persons with obvious physical disabilities.

3. *Integrated programs, architecture and services* – These are entries dealing with efforts to end or avoid segregation of disabled individuals in areas of the physical and social environment. One of these is a 1961 article on how introduction of smaller taxicabs in New York City would pose hardships for wheelchair and crutch users.

4. *Mainstream Education* – This category includes entries regarding education of all children, disabled or not, in a non-segregated environment, both before and after passage of legislation requiring such education in 1974.

5. *Sports* – This includes entries about both competitive and non-competitive sports participation by persons with physical disabilities, including articles on wheelchair sports. One example is a 1971 entry on an article about the Detroit Sparks winning the national wheelchair basketball championship.

6. *Arts by people with disabilities* – These entries are for articles about artistic performances, works and exhibitions by artists or performers with physical disabilities, for example, a review of a December, 1971 performance by the National Theater of the Deaf.

7. *Adaptive Technology* – This category deals with devices, systems and techniques designed to assist individuals with physical disabilities adapt to the environment. An example is a 1966 piece on how persons with total deafness can 'hear" by watching oscilloscope light patterns which help them to learn to speak verbally. A 1991 entry described a story on the designer a hi-tech wheelchair.

Traditional

8. *Special attention to individuals because of disabilities* – This category includes entries on special awards, scholarships, diplomas and educational certificates awarded to disabled individuals with the article emphasizing the recipients' physical characteristics. Also included are stories of "super-crip" individuals such as a paraplegic mountain climber who met with President Bush.

9. *Segregated programs, architecture and services* – This corresponds with the "Integrated programs" category under the progressive model. These entries deal with stories about

separation of disabled persons from those without physical disabilities. Examples are an entry on separate bus systems (1981) and a 1991 story of a city in China where people with physical and mental disabilities are kept hidden from the public.

10. *Special Employment programs* – These entries deal with both private and public efforts (usually under the slogan "Hire the Handicapped,") to provide jobs for those with disabilities.

11. *Special or separate education* – These entries refer to articles about special educational programs for children with physical disabilities. A typical one is a 1951 article about discussion of a program to set up special classes in New York City for children with Cerebral Palsy and other physical disabilities.

12. *Charity Support* – This category includes entries about private charity organizations which support disabled persons. They include stories about fund-raising activities, sponsored events and programs designed to aid persons with physical disabilities and bureaucratic activities of the charities, such as election of officers.

13. *Government support* – This category consists or entries on government programs and legislation designed to aid disabled. The entries are, for the most part, about increases in government aid, such as a 1961 entry on President Kennedy's program to increase federal funding for the elderly and disabled. It also includes entries regarding cutbacks, for example, "The Reagan administration budget includes welfare cuts for... the blind and disabled" in April, 1981.

14. *Medical/Disease* – This category covers articles which come from the perspective of disability as disease. It includes entries dealing with medical or surgical procedures to mitigate the affects of disabling conditions, entries on medical research, cures, prevention, medical education and medical bureaucracy as it affects physical disability.

15. *Rehabilitation* – These are entries on programs designed to medically rehabilitate persons with physical disabilities. The emphasis in these articles is on the methods and techniques utilized by medical professionals. A 1956 entry citing an interview with rehabilitation pioneer Dr. Howard Rusk on gains in rehabilitation techniques typifies this category.

Results

A total of 1799 article entries were sorted into the 15 categories. Ninety-six additional entries were classified as Other and were not included in the analysis.

The yearly totals varied from a high of 263 in 1946, to a low of 87 in 1966 (Table 1.a, 1.b, 1.c). The earlier years sampled tended to have more entries with nearly half of the entries coming from the first four years sampled.

Two general trends are apparent when the totals for each model are expressed as percentages. There was a general increase in the number of entries in the progressive categories ranging from 10 percent or lower in the 1940s and 1950s, to roughly 50 percent in 1986 and 1991.

Table 1.a
Progressive and Traditional Index Entries
The New York Times, 1941 - 1991

	1941	1946	1951	1956	1961	1966	1971	1976	1981	1986	1991
Total Stories	140	260	263	225	117	87	98	174	128	148	159
Progressive	14	20	21	23	13	23	19	72	54	70	85
Percentage	10.0	7.7	8.0	10.2	11.1	26.4	19.4	41.4	42.2	47.3	53.5
Traditional	126	240	242	202	104	64	79	102	74	78	74
Percentage	90.0	92.3	92.0	89.8	88.9	73.6	80.6	58.6	57.8	52.7	46.5

The increase in the progressive entries is due largely to a rise in Discrimination Issues and Integrated Program entries beginning in 1976. This coincides with the rise of the disability rights movement in the early 1970s. It is likely that an analysis of the year 1977, during which there were numerous disability rights activities nationwide, would result in even more entries in those two categories. The mainstream education category also showed an increase in raw numbers in 1976, shortly after such programs were made mandatory.

A break in the trend of increasing progressive entries occurred in 1971. This is accounted for by increases in the Special Education, Government Support and

Segregated Programs categories and a decline in the number of stories under Integrated Programs.

Adaptive Technology, which accounted for fewer than five percent of the entries from 1941-71, showed increased numbers in the last four sample years, perhaps reflecting the general increase in technological advancements in society in general in addition to heightened awareness of disability issues.

Table 1.b
Breakdown
Progressive Category

	41	46	51	56	61	66	71	76	81	86	91	
Discrimination	1	2	0	3	0	4	6	22	11	22	25	96
Awareness	1	1	1	0	1	1	0	4	7	11	5	25
Integrated	2	2	0	8	4	8	3	14	16	12	36	105
Mainstream Ed	3	1	0	0	1	0	1	8	5	2	3	24
Sports	2	3	1	2	3	6	3	2	2	5	5	34
Arts	4	3	7	0	0	2	2	0	2	3	0	23
Adaptive Tech.	1	8	12	10	4	2	4	22	11	15	11	100
Total	14	20	21	23	13	23	19	72	54	70	85	414

The traditional categories show a number of shifting trends. Most prominent is a drop-off in the number and percentages in the Charity Support category after 1956. This could reflect changes in news coverage or in indexing procedures, as it is doubtful that charity activities declined by nearly 70 percent between 1951 and 1961.

Government Support entries rose in 1966 and 1971, during and shortly after the enactment of many of the Great Society programs. A 1981 increase in Government Support entries to nearly 22 percent of the year's total is attributable to stories about proposed cutbacks in federal support programs by the Reagan administration. Twenty of the 28 Government Support entries for that year dealt with such cutbacks.

The number of Special Employment story entries was high in 1946, a time when employment for disabled veterans was a concern. The employment numbers peaked in 1951, when manpower shortages caused by the Korean War resulted in calls for increased hiring of individuals with physical disabilities. Special education stories showed no clear trends, however the peak year, 1976, coincided with the peak of Mainstream Education stories, as the newsworthiness of all types of education for children with disabilities resulted in increased coverage.

Table 1.c
Breakdown
Traditional Category

	41	46	51	56	61	66	71	76	81	86	91	
Special Attention	5	10	12	16	14	9	7	5	8	4	7	97
Segregated Pro.	4	2	1	7	6	1	7	11	14	6	1	60
Special Employment	5	24	38	15	14	3	2	5	3	2	4	175
Special Education	8	20	15	6	6	3	9	25	4	14	7	335
Charity Support	93	99	118	76	21	9	4	12	10	9	17	468
Gov't Support	3	26	9	24	8	13	34	34	28	13	16	208
Medical/ Disease	8	31	34	34	19	17	13	9	4	28	15	212
Rehabilitation	0	28	15	24	16	9	3	1	3	2	1	102
Total	126	240	242	202	104	64	79	102	74	78	74	1385

Entries under the Medical/Disease category maintained a fairly consistent percentage throughout the sample years except for 1941, 1976 and 1981, when it consisted of less than 10 percent of the entries.

The Rehabilitation category was prominent in 1946, as the U.S. dealt with veterans disabled during the war. Another peak in 1956 may be partly attributed to an artifact of the newspaper, as *The New York Times* ran a series of articles and interviews with rehabilitation pioneer Dr, Howard Rusk throughout the year.

Conclusions

Conclusions drawn from this study must be limited by the fact that the data gathered from the newspaper index is secondary evidence of disability coverage in *The New York Times*, which itself is an imperfect reflection of American journalism or of American society in general. Use of an index moves the analysis at least one step away from the actual medium, and each layer of editorial decision-making tends to further separate that which is being examined from reality.

Additionally, the entries are but brief summaries of the original stories. Factors such as story length, language use and aspects of disability emphasized cannot be measured without analyzing the articles themselves.

Despite these limitations, the index does provide a rough idea of the subject matter of stories dealing with physical disability. It shows a large decline in entries portraying disability in a traditional economic sense (particularly the image of people with disabilities as dependent on the generosity of charity organizations). The study also found a steady rise, particularly from 1976 to 1991, in entries showing stories portraying disability from a progressive civil rights perspective. with a few exceptions, story entries covering physical disability from a traditional medical viewpoint remained constant during the period.

This study examined just one aspect of media coverage of disability. Examination of coverage of mental disabilities is warranted, as would be a more comprehensive sampling of each year's entries from 1941 to 1991.

Further study of newspaper coverage should include evaluation of the news stories themselves, analyzing aspects such as language, aspects of disability, portrayal of individuals with disabilities and specific issues covered. Other news media, such as magazines, television and radio should also be examined. But despite the limits of this study, this research does indicate a trend in *The New York Times* away from traditional coverage of individuals with disabilities as charity recipients and toward a more progressive, civil rights view of disability in news coverage over the last 50 years.

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A Stubborn Faith:
The Media and the Amish

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A Stubborn Faith:
The Media and the Amish

Amidst the high technology, the mass culture and the complexity that encompass many people's lives, there exists in the United States what might seem like an anomaly: A religious group called the Amish.

The Amish, numbering about 100,000, spurn many modern technologies, including radio and television. Although a small group of Amish do drive cars and allow the use of telephones in their homes, they are relatively few. Most Amish, holding to what they believe are biblical mandates for humility, modesty and separation from non-Amish, reject some modern gadgetry and prefer to live, as they call it, "plain"(Hostetler, 1980).[1]

The Amish lifestyle presents some interesting questions for mass communications researchers. Although the media have been shown in some cases to produce some "effects" on those who use them, it is unclear how the media impact a group of people who reject many secular media in varying degrees. The only mass media used by all the Amish are print, but no studies have looked at how they use these publications and why. Also, the question arises as to whether there are some indirect, agenda-setting effects of the mass media on the Amish, as a result of the way the secular media romanticize the Amish lifestyle and promote tourism in heavily Amish areas. To gain insight into these issues, this study employed agenda-setting theory as a framework and used in-depth interviews of some Amish men and women, along with a content analysis of an Amish-read newspaper called *The Budget*.

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[1] Most statistics about the Amish are estimates, since few of them report their numbers to government officials. One Beachy Amish man interviewed estimated the total Beachy Amish population at about 5,000.

The Amish: Who they are

First, it may be helpful to describe the Amish and their peculiarities before looking at the mass media's potential agenda-setting role for the Amish.

The Amish are a Christian group that emerged out of a broader group of reformers in the 1500s called the Anabaptists. The Anabaptists, who believed in non-resistance, were persecuted by the Roman Catholic Church and other Reformation-era churches largely for the Anabaptists' idea that a person should only be baptized as a full member of the church, that is, as an adult. Menno Simons, a Dutch village priest who converted to the Anabaptist movement in 1536, is considered the founder of the Mennonite church, although the name Mennonite didn't become popular until later.

In I693, Swiss-born Jacob Ammann (sometimes spelled Amman) called for a stricter application of Anabaptist teachings, including the practice of shunning members not in good standing and in the wearing of plainer clothes. The people who followed Ammann's teachings were known collectively as the Amish-Mennonites until the late 1800s, when another split occurred. After that split, some of the groups were known simply as the Amish. Others became known as Mennonites (Miller, 1983). Today, some Old Order Mennonites have lifestyles similar in many ways to Old Order Amish.

William Penn, an English Quaker who called Pennsylvania his "peaceable kingdom," invited the persecuted Mennonites and Amish to join the Quakers in the "New World." Some had arrived by 1727, with migrations to Ohio by around 1813. To this day, Pennsylvania and Ohio have the largest populations of Amish and Mennonites. The largest single settlement in the world of Old Order Amish, one of the most conservative groups, lives in Holmes County, Ohio (Miller, 1983 and Lee, 1984).

In general, the Amish believe in non-resistance and thus do not participate in war and only rarely in lawsuits; they believe church members are accountable for their actions and in some cases those who violate church guidelines may be "shunned"; they believe in separation of church and state, and for that reason the Amish do not participate in Social Security, farm subsidies or welfare. They also believe in living a lifestyle dictated by mandates in the Bible, the holy book for Christians (Hostetler, 1980).

All Amish dress is a similar, uniform style, although different levels of acceptance exist for items such as store-bought pants for men; the use of zippers; the color of dress and stockings; the use of belts and buckles; hat styles and the use of buttons. None of the groups allow jewelry, makeup, shorts, or slacks for women. Church regulations prescribe the proper dress length for women and whether men should wear one suspender, two suspenders or no suspenders to hold up their pants. Men must wear beards and women wear their hair long, usually tucked up inside their bonnets, which are worn at all times (Hostetler, 1980).

The homogeneity in appearance and lifestyle is intended to keep all people on the same level and to prevent temptation toward prideful or boastful living.

Most Amish refuse electricity to their homes and do not have telephones. Most do have indoor plumbing. Refrigerators, washing machines and even floor lamps are used, but they are modified to run on bottled gas. Transportation is primarily with the horse and buggy, and farming is done by horse-drawn plow. However, most Amish will ride in cars and a few will drive them. The most conservative Amish fall into the broad category of Old Order Amish. The New Order Amish are more modern, allowing electricity and phones in some cases. The Beachy Amish, considered the most permissive of modern conveniences, broke off in 1927 over the issue of automobiles and these Beachy Amish drive cars (Hostetler, 1980).

Amish communities are organized into church districts. Each church district is the highest governing body for the group. A church district is headed by a bishop and is comprised of 30 to 40 families. Clergy are unpaid and selected by lot from among the church district's members. Each church district has its own "ordnung" or set of rules that guide all aspects of living, including the clothing style and permitted use of other technologies. A select group of men meet twice a year to consider modifications to the "ordnung" (Hostetler, 1980).

The Amish do read mass publications, but they censor their materials greatly. Two nationwide weekly newspapers serve the Amish, the largest being *The Budget,* printed in Sugarcreek, Ohio. The budget has a circulation of about 20,000. The other newspaper, *Die Botschaft,* began in 1976 and is geared to Old Order Amish, who felt *The Budget* was including too much offensive information from more permissive Amish and Mennonite believers. *Die Botschaft* is published in Lancaster, Pennsylvania, and all of its content is approved by a board of Old Order Amish (Smith, 1991).

Past Research

Past research on this topic is scarce, in part because the Amish are a rather closed society, at times difficult to access. Most do not have phones. Most live in rural areas, away from universities where most researchers are based. Also, the Amish intentionally avoid "non-believers." Their belief that the faithful should not be linked by any way to worldliness and non-believers is the driving tenet behind their refusal to use electricity and telephones (Hostetler, 1980).

Most studies of the Amish have focused on their education system and medical peculiarities such as higher-than-average rates of fertility and of birth defects.

Little has been written about the media and the Amish, although Yoder presents a non-scholarly historical summary of 100 years worth of excerpts from the newspaper, without any analysis or conclusions (Yoder, 1990). Another Yoder (a popular surname among the Mennonites and Amish) described *The Budget's* founding in 1890 through the year 1920 (Yoder, 1966). Hostetler's unsurpassed *Amish Society* reports that the subjects mentioned in the submissions to *The Budget* reflect the importance of farming to the Amish. "Topics customarily covered in *The Budget* ... are the weather, seeding, planting activity, and harvest. In springtime we read that 'Farmers were busy in the fields last week.' 'Some sowing wheat.' 'Wheat and alfalfa fields look nice' " (Hostetler, 1980.)

Although not about the Amish, Umble found within a related group, the Mennonites, that the differences among Mennonites in their social, sexual, political, racial and religious attitudes were most distinctive between those who chose to watch television and those who did not (Umble, 1986).

Past researchers have struggled with the question of how the Amish have been able to maintain their distinctiveness from the rest of U.S. culture and what things influence the Amish to make compromises in their non-conformist lifestyles.

Hostetler (1977) says the Amish participate in "defensive structuring" as an intuitive way to maintain their culture inside a larger, dominant and technologically demanding society. Among the mechanisms that help a group keep its cultural uniqueness is the creation of "identity symbols."

Olshan (1990), on the other hand, sees the Amish as intentionally fighting the dominant society with the rejection of tractors, public education and the creation of an alternative service for conscientious objectors.

Hostetler (1980) said the distinctiveness of the Amish lifestyle is in the group's all-encompassing religious view of life. But rather than a dogmatic rejection of a technology on face value, Kidder and Hostetler (1990) show the community struggles with societal implications before making a rule on the subject. They define ideology for the Amish as this: "The selective invocation of tradition for the purpose of legitimization."

Stoltzfus (1977) points to a system of rewards and sanctions that help the Amish lifestyle continue and adapt to society. The rewards include religion, mutual aid, pleasure, family and work. For the Amish person, these things are woven into a close society. The sanctions include admonishment and harassment; discussions in the church, temporary excommunication and total excommunication.

Several studies point to the importance of economic self-sufficiency as key for the Amish to maintain their lifestyle and thus, culture. To his end, Ericksen, et. al. (1980) believe the farming culture, which has predominated among the Amish, is the reason key concepts such as mutual aid and intergroup support are possible. However, as fewer Amish are able to make a living farming, there is a greater probability of their culture being eroded, Ericksen says. But Foster (1984) concludes that cultural unity for the Amish is not linked to occupation.

Foster's study also concluded that other economic threats to the survival of the Old Order Amish include the high rate of inflation, urban sprawl and a high birth rate.

Loomis and Beegle (1951) hypothesized that an internalized expectation of persecution, a reality for the Amish in their first 150 years in Europe, has helped the Amish maintain a common culture (similar to Jews and their recollections of the Holocaust). And Redekop and Hostetler (1977) said Amish culture is clearly the product of "responding to social processes and values inherent in the parent society."

As Rogers and Adhikarya (1979) point out, all analysis of social change must ultimately center primary attention on the communication processes. Hostetler (1977) agreed, showing that the publication of books and periodicals specifically aimed at the Amish are helpful in their efforts to cope with a dominant and more technologically complicated exterior world.

In the same article, Hostetler (1977) said preliminary studies show that tourism is not eroding the social fabric of Amish society or destroying the incentive to be Amish.

Buck (1987) studied tourism and noted that the booming tourism around Amish settlements did little to erode cultural solidarity. Specifically, most tourist enterprises were structured so they were not in direct contact with many Amish, especially the most conservative Old Order Amish.

As shown, several studies focused on what viewpoints or actions have helped the Amish to maintain their traditional lifestyle and homogeneity, or conversely, what has led them to accept a technology.

Applying Agenda-Setting Theory

Agenda setting theory is the process through which the mass media communicate the importance of certain issues and events. As Rogers and Dearing (1988) state, "the mass media softly but firmly present the perspective of the ruling class to their audiences." This role of the media is also clear in Rogers and Adhikarya (1979), in their explanation of the diffusions of innovations research and theory. An agenda setting function is one of the five processes documented as affecting the reception or acceptance of new ideas and technologies.

Many agenda-setting studies have used quantitative research to analyze the effect of the media on accepting political or public policy views (Rogers and Dearing, 1988). As McCombs and Shaw point out, (1974) "the original hypothesis for agenda-setting research was that media emphasis on an event influences the audience also to see the event as important. Selection of news from the total possibilities of the environment gives great emphasis to the events actually covered."

Some studies have looked at the relationship of issue obtrusiveness on agenda-setting effects, finding that when a person has little experience with an issue, the effects of the mass media are high. (Demers, et. al., 1989). While some agenda-setting studies have studied the effects of the media over time (longitudinal studies) others have compared the rank order (cross-sectional) of issues in media coverage (Brosius and Kepplinger, 1990).

Yet agenda-setting studies do have several problems, including the difficulty in establishing a cause-and-effect relationship (Rogers and Deering, 1988).

Given the agenda-setting role ascribed in varying degrees to the media, two research questions will be considered here. One is regarding that agenda-setting function of the secular media on the Amish and the other attempts to assess how the media affect the Amish's adaptation to mass culture:

1. To what extent is a concern about tourism found in a qualitative-style content analysis of *The Budget*, a newspaper with a national section geared toward the Amish and

Mennonite community. Tourism was chosen because it is a prevalent topic about the Amish found in the general media, reflected both in articles specifically about tourism or in articles glorifying the "quaint" Amish lifestyle.[2] Thus, this research question explores whether the general media have an agenda-setting effect on the Amish, as reflected in a newspaper written primarily by the Amish and Mennonite people who comprise most of its circulation. In other words, is there a relationship between the non-Amish media's focus on the Amish as a tourist attraction and the concerns about tourism raised by the Amish themselves, as reflected in their entries in *The Budget*.

2. To what extent do the Amish use other media, such as non-Amish publications, radio and television, and how do they perceive their use as a threat or benefit to their traditional culture.

Obviously this study is not a true agenda-setting study but rather more of an exploration as preparation for further study of the Amish in the future.

Methodology

The methods used in this study include two aspects: a content analysis of *The Budget* and in-depth interviews with some Amish.

The content analysis of *The Budget* encompassed a sample beginning May 1990 and concluding April 1991, and included roughly 500 "articles" in the one-year (twenty-seven-issue) sample. *The Budget* is a 19,000- to 20,000-circulation weekly newspaper that goes to nearly all states and several countries.[3] Each national edition of the paper includes roughly 300 articles or "letters," which are written by regular Amish and Mennonite contributors called scribes. These letters comprise the bulk of the newspaper's content. This study randomly selected and coded these "letters." A sample of every other week, beginning with the first full week of the sample year, was selected for a total of twenty-five issues. All other content – regular weekly columns, irregular editorial content, classified and display advertising and a weekly column in Pennsylvania "Dutch" – were excluded to keep this study manageable.[4] (See Appendix 1 for a sample of a portion of *The Budget.*)

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[2] An informal review of both data base collections of articles and the indexes of several major U.S. daily newspapers in states with high numbers of the Amish, including *The Columbus Dispatch* and *The Cleveland Plain Dealer*, showed articles promoting tourism or discussing the effects of tourism in Amish areas are the most prevalent under the general heading of "Amish."

[3] The Budget actually has two sections, a local section, which is not geared toward the Amish and which circulates as the main weekly newspaper in Sugarcreek, in Holmes County, Ohio, where it is printed. It is not included with most of the subscriptions, which are for the national section only. It is this national section that circulates nationwide and is geared toward the Amish and Mennonite community. Unlike the local section, it does not include photographs. Its advertisements are primarily for items used by the Amish and Mennonite. Founded in 1890, scholars believe *The Budget* is the best read newspaper among the Amish and Old Order Mennonites, although no detailed readership surveys exist. Unlike other popular publications among the Amish, such as those by Pathway Publishers in Ontario, Canada, *The Budget* is neither Amish-owned or operated. National Editor George Smith is Lutheran and the newspaper's owner is Jewish.

Because *The Budget* is written by volunteer contributors from hundreds of locations across the world who share a similar world-view, and because each letter has a similar content , organized in a similar manner, standard content analysis categories for print media, such as those developed by Paul Deutschmann, were deemed unsuitable for this analysis (Deutschmann, 1959).[5] Instead, the letters were coded using a scale of forty-seven categories modified from a listing of fifty-two devised by Elmer S. Yoder. (Yoder, 1990) [6] (See Appendix 2 for the list of coding categories and their definitions).

Each mention of an item in these categories was noted on a coding sheet. Its frequency was noted generally by paragraph, so that a mention of visitors at church was recorded once, even though the paragraph may list twelve or more names. Each additional paragraph of visitors for another event or occasion received another notation. Some items, such as an item about a family traveling to another location for a funeral and being driven by a non-Amish person might merit notations in the deaths and funerals category, the transportation category and the mobility and travel category. This method of coding was used in this content study because it was considered more qualitative in approach rather than a strictly quantitative data collection. It was intended to get a sense of the most common topics in *The Budget* today and the actual content of those topics.

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[4] Using every fifteenth letter was viewed as providing a random sample, since letters were submitted to be typeset randomly as they were received. Advertisements were stacked in a typical pyramid layout.

[5] Deutschmann, 1959. Deutschmann analyzes newspaper content according to 11 content categories: Politics and government acts; war, defense and diplomacy; economic activity; crime; public moral problems; accidents and disasters; science and invention; public health and welfare; education and classic arts; popular amusements; and general human interest.

[6] Yoder, 1990, pp. 3-4. Yoder's history of *The Budget* and divided content into 52 categories. Some of the categories seemed to be redundant or no longer relevant given the fact that Yoder's analysis covered a 100-year time span. In addition, three categories were added because of their prevalence as found in a reliability coding pre-test. These categories were: Crime, moving and visiting/visitors.

An issue of *The Budget* was coded in a pre-test to check coder reliability between the two coders and adjustments in definitions or content categories made.

In addition to the content study, in-depth interviews were conducted with nine members of the Amish community. Of these, seven were with members of Beachy Amish settlements. The Beachy Amish are considered the most liberal in their acceptance of technologies such as automobiles, electricity and telephones. The Beachy Amish are also unique among the Amish in their affirmation of evangelistic and missionary activities. The remaining two interviews were with Old Order Amish, the largest group of Amish and generally the most conservative. None of the Amish interviewed were known to the researchers in advance of the project.

Of the nine interviews, four were with women. Geographically, the Old Order Amish couple and one Beachy Amish man were from Sugarcreek, Ohio, which boarders Holmes County. Holmes County, in northern Ohio, has an an estimated 30,000 Old Order Amish, the largest number in the world. The county also has many other Amish and Mennonite groups and has become a tourist haven.

The Old Order members were both in their 80s and had been married about 60 years. The man was a bishop, although no longer active in that role. They lived in a "grandpapa" house adjacent to the large farm home now inhabited by one of their ten children. All their children are still Old Order Amish. The couple has fifty-four grandchildren and eleven great-grandchildren.

A Beachy Amish man, 46, also from the Sugarcreek, Ohio, area was interviewed. He earned a living as a sign-maker and has seven children. He was a former Old Order Amishman but was excommunicated because he supported a friend who bought an automobile. All his children remained in the Beachy Amish faith. He was writing a book about Amish roots and he was a writer for *The Budget* between 1982 and 1988.

The six other individuals were from the Plain City, Ohio, area, which is a farming region northwest of Columbus, Ohio, in the central part of the state. Although it was once a location of several Old Order church districts (thus the name "Plain" City), now only a small New Order Amish settlement exists, in addition to three Beachy Amish churches.

One Plain City participant was a minister and the head of a mission organization used by the Beachy Amish. He has held the position since 1974, and operates the missions office from his home, in addition to farming a small section of land. Although his parents were raised Old Order Amish, they switched when he was young to a Beachy Amish group, as part of a district-wide change based on ideological differences. He was age 64 and has six children, plus two others adopted from Korea.

The participant's wife, age 63, was also interviewed. She was raised Old Order Amish as well, and her parents remain in that branch. She assists her husband in some of the mission office duties.

Another subject was a 53-year-old woman who was the wife of a minister. She had a 19-year-old son at home plus three other children. Her husband farms and is a carpenter in addition to his church work. She was raised Old Order Amish.

A 51-year-old seed distributor, farmer and Beachy Amish minister was another subject. He has four children. He also has hosted visits from non-Amish school children at his farm. He was raised Old Order.

A current writer for *The Budget* was among those interviewed. This 63-year-old woman had six children and twenty-two grandchildren. Her parents were Old Order.

The youngest participant was a 35-year-old teacher in a Beachy Amish school. He was married and had four children. Of all those interviewed, he was the only one who does not read *The Budget*. He has worked for 14 years as a teacher but has never attended college. He teaches fifth and sixth graders. He was raised Beachy Amish and his wife was

Old Order Amish until she was age 10. Two of the participant's sisters are no longer Amish; one is Mennonite and the other does not attend church. In addition, one of these sisters is divorced and remarried, a status that is not tolerated in the Amish church.

All subjects were interviewed at their homes, for a minimum of 90 minutes. Both researchers were present for all the interviews. Interviews were slightly guided in the area of media use and self-concept, but generally open.

Findings

All but one of those interviewed read *The Budget.* Two of the Amish -- one Old Order man and a Beachy Amish woman -- were present writers or "scribes" for the newspaper and one was a former writer.

No one said they read every word of *The Budget.* Instead, most said they scanned it. In the case of a couple active in missionary work, the minister-husband said his wife reads the paper and marks items she thinks he would find of interest.

Comments about *The Budget* centered in three areas: How it provides a unified sense of identity; how it provides a source of information about people the reader knows; and how its content has changed or should change.

Provides a sense of identity

One Beachy Amish man from near Sugarcreek, Ohio, had a keen sense of Amish history and cultural peculiarities, after researching Amish history for a book on that subject which he was writing. He said *The Budget,* even with the various types of Mennonite and Amish groups represented by the more than 300 writers, still provides a sense of unity for many people in the Amish and Mennonite community.

"It's really sort of a strange phenomenon. It wasn't planned that way, but it helps the Amish a lot, to keep them as a people. They recognize not only themselves, but it makes them feel like a people and for a little minority group, that's very important -- for people to know there are others like them. ...The Amish aren't exactly one people, like the Baptists, but *The Budget* allows them to feel that way," he said. This interviewee, 46, was excommunicated from an Old Order group when he was young for his support of driving cars. This notion of envisioning the varied Amish groups and the Mennonite as one group was also reflected in the frequent use of the phrase "our people" by several of those interviewed, when referring to the Amish as a whole.

Provides accounts of "people I know"

Perhaps a key way the Amish reinforce this group feeling, this acknowledgement that they are not alone, is through constant interpersonal contact. This is reflected in *The Budget* with a preponderance of accounts of who visited whom. It is similarly reflected in the interviews with mentions that the reason they read *The Budget* is to keep track of people they know.

"I think that's one thing that makes *The Budget* of interest to our people. Our people know people from around the country so much more than the average city person does. We get our young people to Bible school and then they go to (mission) services, whether in the foreign field or nursing home. We just know hundreds and hundreds of people," said the Beachy Amish minister and missions office director.

A Beachy Amish woman agreed. She said her family knows so many people throughout the United States and she scans the paper for names and towns she knows. In that week's issue, for example, she had just learned that a friend and former resident of the area had received a liver transplant.

For this same reason, that is, keeping in touch with those they know, one man said the first thing he looked for was the letter from his community, which covers three Beachy Amish churches.

The group letters are especially important in a community where the largest group of Amish -- the Old Order -- refuse to own telephones in their homes and thus the letter is the prime means of long-distance communication. Although the Beachy Amish do use telephones, most of those interviewed were former Old Order members and had many Old Order relatives without phones. Also with a large circle of friends and large families, communicating with acquaintances primarily by phone could be costly and could violate the concern for wise stewardship of money.

Several people mentioned the value of keeping tabs on people they know because so many Amish are migrating away from growing urban areas or to places where agricultural jobs are more feasible. It is also helpful, one woman noted, to get information on Amish and Mennonite missions and potential disasters in those nations.

Changing content

Despite the predominance of vital statistics and the reporting of what some would call mundane events in *The Budget*, there are occasions when other viewpoints come through. For example, many of the letters might mention a church's missions and some of the letters are from the actual missions in Central America. This change to include more information from outside the individual church "happenings" is something some of the Amish said they welcome.

"I've got an interest in promoting the type of letters we're finding now. I think the letters we're finding are more informative than they used to be. Years ago, when I was growing up, in most of the letters -- 90 percent of the letters -- a lot came from the Old Order setting, and their interests and what they wrote about were where church was and where it would be the next time and where so and so had been to dinner. Maybe just a few news items. It wasn't to the best interests of people living far away. Now, as more people move away and have moved into Beachy Amish groups and are probably better educated and get more publications, we're finding news items from outside Amish-Beachy circles, too," said a minister at one of Plain City's three Beachy Amish churches.

However, there is still plenty of content in *The Budget* that some Amish disagree with. "There are things in letters that we don't agree with. There are a lot of trivial things that take up space," one Beachy clergyman said.

The lack of international and national news content from outside the community is why the 35-year-old school teacher doesn't read *The Budget*. "I guess it just never struck my fancy. I'd rather read *The Columbus Dispatch.* Especially last winter with the (Persian Gulf) war. We don't have radio or television, so that's the way we kept up. If I don't see a paper for a week, I feel like I don't know what's going on," the only non-reader of *The Budget* said.

Interestingly, this school teacher, who said the "folksy" style of *The Budget's* letters did not interest him, was the only Amish person interviewed who mentioned frequenting an evangelical Christian bookstore in Columbus, reading books by popular non-Amish evangelists and attending seminars run by fundamentalist Christians. He also has allowed his children to watch Christian videos at his non-Amish sister's home.

Among those who did read The *Budget,* several people mentioned a special fondness of the "Information Please" column of *The Budget,* in which people write in requests for information. One man mentioned that he liked the summary of "good news" on the front page, which is actually a highlighting of the most unusual letters or record-breaking events. It is interesting that a group that has institutionalized conformity would find an interest in non-conformity and the bizarre.

Other Media

All the Amish interviewed, including the Old Order, read some secular publications in addition to *The Budget.* For the Old Order, it was restricted to farming publications and "clean" magazines such as *Country Living.* ("Clean" was the same word used by one woman to describe the majority of tourists visiting heavily Amish counties). Several of the Amish, in both the Old Order and Beachy affiliations, read Old Order-sanctioned publications from Pathway Publications in Ontario, Canada, the only "Amish" book publisher run by the Amish themselves. These three monthly publications -- *Family Life, Young Companion* and *Blackboard Bulletin* -- were newsletter-type publications devoid of slick covers or fancy graphics. None had pictures. All were predominantly text set in wide-column formats and were essentially devotional poems, stories, and lifestyle tips. All were strictly black and white, with the exception of a cover printed on a single pastel color of paper.

In addition to the Pathway publications, which most of the Beachy Amish received, all the Beachy Amish also received the only "Beachy" publication, the *Calvary Messenger*. It is a monthly publication in a similar newsletter format to the Pathway publications. One man described the *Messenger* as his number one publication to read.

Two of the Beachy families also mentioned receiving publications published by Mennonite groups, including one called *Sword and Trumpet*. Visually, it had a similar format and content to the *Calvary Messenger*.

Only the Old Order man explicitly mentioned the Bible as a source of reading material, but nearly everyone interviewed quoted from it either directly or by paraphrase.

In addition to these religious publications, other non-religious publications mentioned were: *Ohio Farmer, Country, Newsweek, U.S. World & News Report, Reader's Digest, National Geographic* and *Time*. A few of those interviewed said they sometimes read a local daily or weekly secular newspaper as well, although except for the school teacher, this was not mentioned by any of those interviewed as among their primary media.

Although the Amish have been reported on in the secular media, none of those interviewed mentioned such articles, their accuracy or appropriateness.

What They Censor

Although the Amish do subscribe to secular publications, it is not without some censoring. The justification for reading such publications is to keep informed, particularly, for the Beachy Amish, in areas of potential need that might be served by their several missions. One minister mentioned the need to be aware of earthquakes or similar disasters to which they might respond.

Three of those interviewed mentioned their displeasure, either at present or in the past, with *Newsweek's* photographs. One man, a minister and missions representative, said he wrote *Newsweek* about a cover that exposed a woman's breast. "There are still things on the inside" that are bothersome, he said. "Most secular magazines have that."

One woman said she received *U.S. News and World Report* but she once pasted over a picture inside that she found offensive and did not want her son to see -- a picture of Christ's crucifixion in which there were some naked people. She said, "We need to be careful about these types of things. And also cults. We don't like our children to get a hold of those kinds of things. We try to be careful to censor those things. Our son is old enough now to know when there are false teachings."

One man switched from *Newsweek* to *U.S. World & News Report* because of the latter publication's more conservative use of photographs. "We did get *Newsweek* and we cancelled that. Some of the pictures are just a bit too bold. It's a shame but they almost have to do it to keep the interest of the public," the man, a minister, said.

Sometimes Beachy Amish ministers will quote from secular publications, including *Newsweek*, one Beachy minister said. He mentioned as an example an article talking about a proposed change in a Presbyterian denomination that says all people, both homosexuals and non-homosexuals, are entitled to sexually fulfilled lives. He disapproved of such a move and said it was the kind of subject he might preach about, relying on information in the secular press about the subject.

Censorship occurs in what the Amish choose to read, within subscribed publications. For example, one man mentioned that he doesn't read material about movies, television, fashion or fads. And even when the information was subscribed to and read, it often was acknowledged as a potentially harmful influence upon the Amish lifestyle.

One Plain City woman in particular lamented the frequency with which lifestyles not permitted by the Amish appear in secular publications. "Now it's so common. That's some of the things that kind of bother us, that's coming into our church." Another man mentioned the advertisements for cigarettes and liquor as offensive.

Because of the absence of radio and television, it generally appears to have little direct impact on the population. In fact, several Amish, when asked what on television they found objectionable, indicated that they weren't aware enough of its content to say what they would find offensive. Several of those interviewed said the violence on television was unnecessary and potentially damaging to children, but only one woman mentioned the presence of immorality and sexuality. The Amish also do not attend movies.

However, in general, comments about radio and television focused on the Amish's inability to control these media and the potential detrimental effects of violence or immoral programming on the young. Said one Beachy Amish woman, "You read in the newspapers there's so many shootings, with teenagers doing it. I guess I feel that if they had never watched TV it would never have entered their minds."

Radio was similarly considered offensive, because of the potential harmful lyrics about immoral lifestyles. Several Amish particularly mentioned country music, with its common themes of marital infidelity and drinking. For the Amish who have cars, the radios are usually disconnected or totally removed.

Content Analysis Findings

If *The Budget* serves an agenda-setting function for the Amish, then it makes sense that concerns about changes and infringements of modern society upon their traditional culture would be reflected in the newspaper. Similarly, the "secular" media's focus on the Amish lifestyle as a tourist attraction valued for its tradition, would likely be reflected in *The Budget's* content, if the agenda-setting function holds true. Specifically analyzed in *The Budget* was the issue of tourism or topics that could reflect problems associated with tourism, including the categories of moving, technology, economics and occupations. While all 47 categories were analyzed, special attention was paid to those considered indicators of the impact of tourism.

However, of all of the roughly 500 letters examined in *The Budget*, only one explicitly mentioned tourism.[7] Although alone in its mention of tourism, it was an eloquent reflection of how the Amish see their image changing. In a letter that was published in the November 7, 1990, *Budget*, Elmer Kuepfer of Linwood, Ontario, Canada, wrote:

> On the road, looking out the truck windows, with nothing else to do but watch the scenery, I sometimes got to thinking. One of the subjects was the changing times. It was not so long ago that the average person, when he heard the words "Amish" or "Mennonite," he would think of a group of God-fearing Christian people. Peace loving, plainly dressed, an example of "light of the world" or "salt of the earth." Now, that seems to be changing. We are getting a different image, and I don't think it is altogether our own fault that it is changing, but we are not altogether blameless either.
>
> Just watch the roadside signs and the ads. Here in Ontario as well as Pa., Ohio, Ind., and other states, Amish crafts, gifts, quilts, Amish cooking, drawing of Amish and Mennonites on Farm Market and other billboards. Huge sign, "Mennonite Furniture Outlet."
>
> I picked up an issue of "The Holmes County Traveler." Seven different restaurants have ads in it. Six of them use the word "Amish" in their ad. The only one that does not is a pizza place. Apparently the time is not yet here to declare pizza as an Amish speciality.
>
> So now when the average citizen hears the word "Amish" or "Mennonite," he thinks of good food (it really schmecks), good solid furniture, fancy quilts, and perhaps of quaint people, much like he would see in "Pioneer Village" theme parks.

There was also only one mention of moving and land prices. Although it doesn't specifically mention tourism as a cause for the high-priced land, several Amish men and women interviewed mentioned that problem as a potential reason for the frequent moves cited in *The Budget*.

In the December 19, 1990 issue, Rudy S. Yoder writes about three new families moving to the Vidalia, Georgia, area to start a new Amish settlement. "After all, I hope this venture will be a success, as, if times goes on, we will need more land for our descendants. ...It is plain to see that the old settlements are getting so crowded and land so high that it is almost impossible to keep our young ones on farms. It does take courage for younger people to just pack up and move out, leaving friends and relatives behind."

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[7] Tourism did not have its own category per se, but was noted under "other."

In a review of *The Budget*, it is clear that while the Amish are aware of the changes affecting their county, they are not preoccupied with it, since it is mentioned only once in about 500 letters read.

The reference to moving may or may not be related to tourism. However, it does establish the general concern of land, which is affected by tourism (Buck, 1978). The entry helps show that the Amish are concerned about trying to keep their youth on the farms.

It should be mentioned that any potential agenda-setting function of *The Budget* may be limited by its National Edition Editor, George Smith. Smith said he intentionally omits references to ideological debates or topics which might alienate one group of *The Budget* readers over another (Smith, 1991).

Although the mention of tourism in *The Budget* was limited to one, in interviews the Amish were quick to offer their opinions of a trend that has overtaken at least two predominantly Amish areas in the nation.

In Holmes County, Ohio, craft shops and restaurants boasting "Amish Cooking," are packed with tourists. Brochures advertise a chance to tour an Amish farm or places that sell "Amish" cheese. In Lancaster County, Pennsylvania, where the tourist trade has about a 20-year head start on Holmes County, tourism has led to this:

> Amishmen are reproduced and caricatured in tourist promotion materials, area maps, and billboards. Large plastic Amishmen, some of which are animated, beckon tourists into gasoline stations, diners, souvenir shops and motels. Amish dolls, most of which are imported, are popular souvenirs. Restaurant placemats are awash with fabricated Amish dialect and humor. Pamphlets encompassing every degree of accuracy, picture postcards, posters, prints and paintings depicting Amish life are common place. Mass produced Amish straw hats and felt hats sold in souvenir shops show up as teenage attire on city streets, beaches and suburban patios." (Buck, 1978).

While the Amish do not watch movies or television, most non-Amish do. And movies such as *Witness* present the Amish lifestyle complete with a flawless, beautiful

Amishwoman. One only needs to look at a May 1991, travel section front of *The Columbus Dispatch* to see evidence of the promotion of Amish areas for tourism. A feature on Holmes County mentions the word Amish 24 times in a roughly 50-column-inch story. Food by the Amish and mentions of their slow-paced and quaint lifestyle fill the story as well (*The Columbus Dispatch*, 1991).

In a premier issue of a national magazine called *Reminisce*, a two-page article with photos talks about an Amish barn raising and the Amish commitment to helping one another. The magazine promises more future stories on the Amish (*Reminisce*, 1991). There is no shortage of articles expounding the virtues of the Amish lifestyle. By romanticizing the Amish lifestyle as simple, pure, and free of disease, people become attracted to visit Amish areas.

The impact of tourism around some Amish settlements is obvious to any visitor of those sites. Horse-drawn buggies — the few that still try to venture out on busy weekends — often head a long line of vans, cars, tour buses and other vehicles caught behind its slow pace and gawking at its occupants. The intensity of automobile travel associated with tourism also brings the dangers of buggy and car accidents, frequent subjects in *The Budget*.

U.S. capitalism and the romanticized vision of the Amish life presented in the mass media have combined to bring major changes to Amish settlements. Just as Mesthene's contingency view of technology, such changes bring both blessings and curses (Mesthene, 1981).

In interviews, several of the Beachy Amish said tourism had presented an opportunity for employment in cottage industries such as craft-making and furniture-building that are patronized by credit-card laden tourists. Thus, one indirect benefit of the tourism industry is economic.

But tourism is also one reason the Amish must turn increasingly to non-farming trades as a means for making a living. Several studies have documented the increasing price of farmland in areas popular for tourism. With Red Roof Inns and McDonalds competing with the Amish for valuable farmland, prices in some areas have doubled in the last decade. In Sugarcreek, Ohio, near the heart of Ohio's most populated Amish area, farmland has sold for $25,000 to $30,000 an acre (*The Columbus Dispatch*, 1989).

Summary and Conclusions

Looking at the research questions, we must ask if concerns about tourism are reflected in *The Budget.* Despite a sample of about 500 letters, only one letter was found with a reference to tourism. Another letter mentioned the high cost of land, but did not specify what had caused land prices to rise. Thus, there is little evidence that *The Budget*, as one of the few mass media used by most Amish, reflects the predominant topic of tourism found in other media. However, this issue is much more complicated than this, because even if some reflection of the secular media's concern with tourism were seen in *The Budget* it would not be clear what was contributing to it, since the letters are written by some 300 Amish men, Amish women and Mennonites each week.

However, tourism is clearly a concern for the Amish, based on nine in-depth interviews. Although a few saw it as an opportunity for new occupations, most saw it as a way to exploit and cheapen the religious component of the Amish name. Others saw the trends that tourism brings — such as the temptation of wealth and the inconveniences of traffic — as negative and out-weighing any positive effect on the Amish.

These results present some interesting notions for the study of mass media. Although the Amish appear to have a concern with tourism, a newspaper written primarily by the Amish and Mennonites, and read mostly by this same group, does not reflect this concern. Although some ideological statements are edited out of *The Budget* , tourism is not one of those issues, according to the paper's national editor. What function does this newspaper serve to the Amish and what functions do other newspapers serve, if they do not reflect in their content a prime concern of the Amish today.

One suggestion for this seeming contradiction might have to do with the geographical spread of the more than 300 weekly *Budget* scribes (writers). These scribes represent nearly every Amish and Mennonite community in the world. Although large numbers of the Amish live in Ohio and Pennsylvania, where the two prime tourist areas are, other geographical locations receive equal representation in *The Budget*. In general, one "scribe" represents each church district. Given that fact, most of the Amish and Mennonite letters are from locations *outside of* Holmes County, Ohio, and Lancaster County, Pennsylvania.

Although no true "conclusions" can be drawn from these in-depth interviews about the use of other media, some issues seem clear and merit further study. It seems, for example, that even among the most "liberal" of the Amish groups – the Beachy – media use outside of church-sanctioned publications or Amish-produced magazines is extremely limited. The group's religious views and a desire to maintain social cohesiveness seem to be the dominant factors in determining whether or not these media, other than *The Budget*, are subscribed to. The predominant reason for avoiding certain publications or even certain stories within these publications appears to be a fear of infringing or eroding the group's values. In this sense, the values of the non-Amish society were viewed as undesirable.

This study does seem to confirm Hostetler's (1977) view that the Amish participate in "defensive structuring" as an intuitive way to maintain their culture inside a larger social structure. In other words, the Amish in this study avoided certain media, such as *Newsweek*, because of its racy pictures and a fear of the negative impact it might cause, rather than any actual experience of *Newsweek* having such an impact on an Amish person.

The Amish avoidance of most non-church media, despite no known explicit prohibitions against any print media (except perhaps pornography) makes further sense as a "defensive structuring" strategy if we look at the media as a source of information which is translatable into power. The Amish, whose world view holds that homogeneity and equality of status are biblically mandated, would logically defend itself against erosion of that view by avoiding the media, which might alter it by providing knowledge or information and by extension, power. Similarly, *The Budget* provides a defense against mass culture by reinforcing the Amish lifestyle and identity.

Thus it appears the media have an important role to play in the Amish's maintenance of a unique, distinct group within society. The media's role in preserving social cohesiveness are in both the media used and in the media rejected. While it has long been known the Amish reject television and radio, their rejection of print media has been less known.

Suggestions for Further Research

In general, it appears the agenda-setting model is not well-suited for evaluating the relationship between the mass media and the Amish. This is in part because of the difficulty that many Amish largely avoid the media. Thus, measuring the ability of a media to suggest areas of concern to the Amish, or even to reflect them, becomes limited. Another complication is that the most popular newspaper for the Amish is one written primarily by them. Thus, it is somewhat different than in a typical daily newspaper written often by a group of elites trained specifically for the job. Agenda-setting theory was proposed using this more typical newspaper type. But such a rejection of agenda-setting theory here needs to be explained with more quantitative data, which this study did not supply. Also, a formal study of non-Amish mass media and their readership by non-Amish groups could help determine if articles about Amish areas as tourist attractions might serve an indirect agenda-setting function, by increasing tourism in Amish areas.

This limited study does suggest that the media do play a role in the Amish ability to maintain a socially cohesive group distinct from the popular culture of the United States, primarily through avoidance. However, clearly a larger exploration is needed to understand how increased use of the secular media, such as that exemplified by the Amish school teacher, leads to increased acceptance of the popular culture. At what point does acceptance of various media make a member of an Amish group no different than, say, a fundamentalist Christian in his or her views? These attitudes need to be explored, perhaps by a survey combined with a broader content analysis to include Amish-produced publications. This suggestion is made knowing the unlikelihood that such a survey could actually be made, because of the difficulty in locating a representative sample of the Amish and their tendency to avoid events and issues within larger society, including mass communications researchers.

Furthermore, this study focused primarily on the Beachy Amish, admittedly a group that is viewed as vastly different from the Old Order Amish, among the Amish themselves. A larger sample of interviews would help draw distinctions among the various levels of mass culture acceptance among the Amish and the Mennonites.

In addition, other theories of mass communication research might prove helpful in trying to understand the relationship (or lack of relationship) among mass media and the Amish.

One of these is uses and gratifications theory. Uses and gratifications research says people orient themselves to the world according to their own beliefs and expectations. The theory says people use the media in part to fill some needs (Littlejohn, 1989).

Although agenda setting has been presented as one stage of diffusion of innovations theory, diffusion theory as a whole might be interesting to apply to the Amish, who have made concessions and accommodations to technologies throughout their 300 years in this country. This use of diffusion theory in a study of the Amish would be a unique contribution compared to most diffusion studies done in developing nations, where populations seek to improve their socio-economic status with the use of innovations. The Amish community does not seek improved socio-economic status and, thus, the approach used in developing nations would not be as appropriate (Rogers and Adhikarya, 1979).

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Appendix 1

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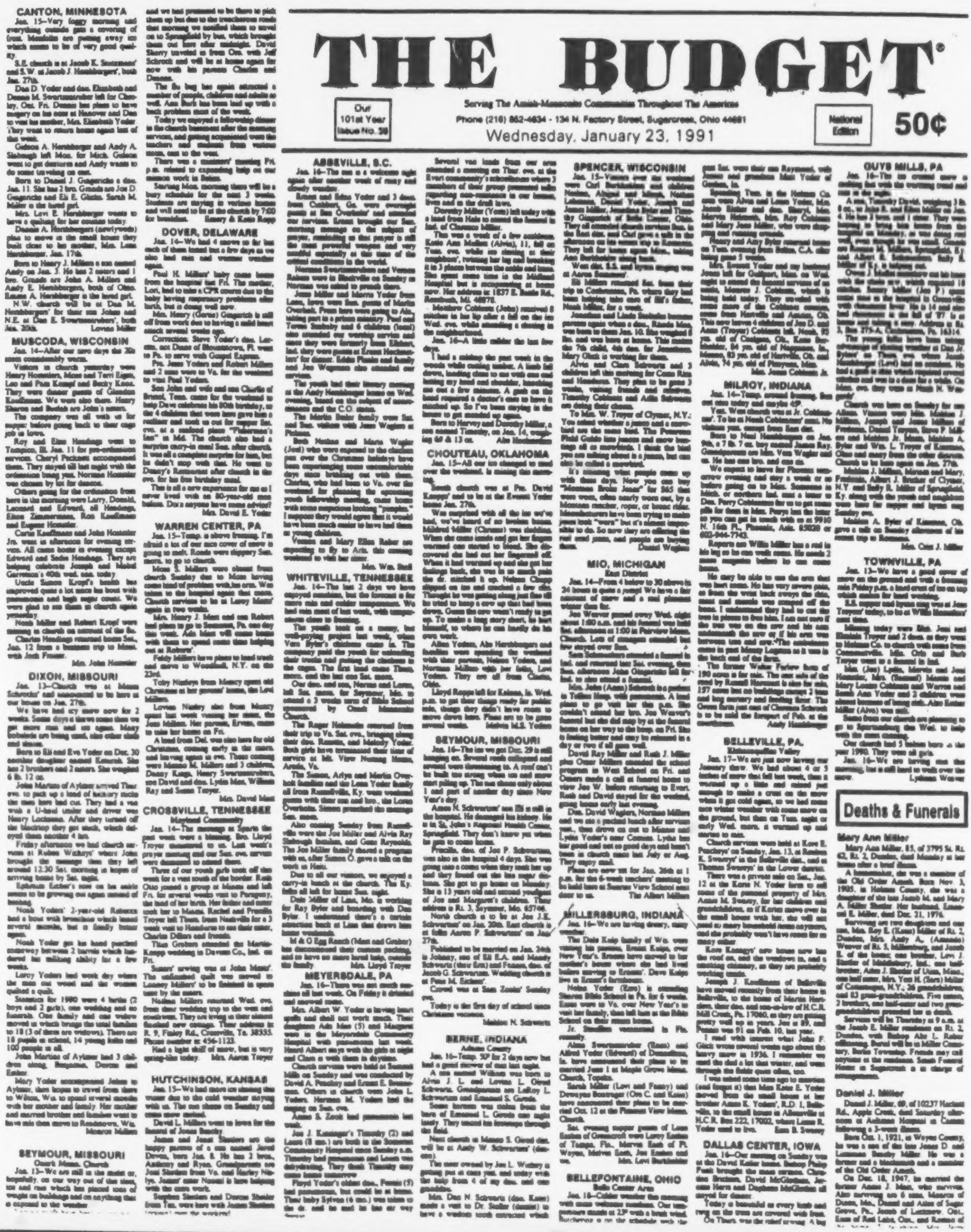

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Appendix 2

The coding categories were as follows:

1. Accidents and Mishaps -- included automobile accidents or accidents related to farming or other occupational hazards.
2. Advertising -- included efforts to sell goods or services within the letter. Excluded display and classified ads.
3. Agriculture and Farming -- included mentions of progress of planting or the status of the crops.
4. Amish, Amish-Mennonite and Mennonite -- included mentions of Amish churches or beliefs or groups.
5. Animals -- included wild and domestic animals, but mentions of livestock as a commodity were included under the category of farming.
6. Births -- included mentions of births, both live and stillborn.
7. Church life and practice -- included mentions of church services and their locations, and church board meetings. Also included ordinations, baptisms and lots to select ministers.
8. Church outreach -- included missions and evangelizing efforts. This was considered distinct from church life because it reflects a theological difference between most Amish and the Beachy Amish (a more liberal group) and the Mennonites.
9. Clothing and attire -- included mention of it being worn or made.
10. Courtship and marriage -- included mentions of upcoming or recently held weddings.
11. Deaths and funerals -- included mention of all deaths in the letter.
12. Drugs, alcohol and tobacco -- included mention of its use and abuse.
13. Economics and ethics -- included mention of prices and business forecasts, particularly of crop prices.
14. Editor, scribes,*The Budget* -- included all mentions of the newspaper, the annual reunion for scribes and visits from other scribes.
15. Education and schools -- included mention of school board meetings, school picnics, cleaning schools, field trips and teacher's meetings.
16. Food and diet -- included mention of specific foods, particularly as they become ripe in the gardens. Does not include non-specific mentions to supper.
17. Health and hygiene -- included hospital visits and medical condition updates. Updates of a medical problem originating from an accident were included here, since often from the updates it was unclear how the injury or medical problem originated. But the report of the original accident was not.
18. Historical highlights --included recounting of the history of a particular family, place or individual, particularly when it included details of events long past.
19. Intergenerational viewpoints -- included statement contrasting age with youth or vice versa.
20. Language and vocabulary -- included comments about German, Pennsylvania "Dutch" or English.
21. Literature and the Bible -- included biblical references or writings from other sources.
22. Mail and letters -- included mentions of addresses in the case of the infirm.
23. Mobility and travel -- included mention of trips or traveling to other locations to special events. Excluded mentions that include the word "visit."
24. Moving -- included mentions of moving within the same settlement and migrations to new regions of the country.
25. Music and singing -- included mentions of "singings."

26. Mutual assistance -- included mentions of individuals helping other individuals or families and groups of people gathering to help in a common fund raiser or building project.
27. Names and nicknames -- included all letters in which there were listings of two or more names in strings, as in a mention of church visitors.
28. Occupations -- included mentions of all non-farming occupations such as sawmill operator or teacher.
29. Outward views -- included all opinions of a non-social banter nature. That is, opinions on topics of current events or ideological debate.
30. Pacifism and peacemaking -- Included mention of this identifying ideology for the Amish and Mennonite.
31. Puzzles and riddles
32. Recreation and avocations -- included group activities such as hay rides, volleyball, hiking or camping. Any activities that were not perceived as an occupational duty or an activity required in daily living, such as canning or cooking.
33. Records and the unusual -- included mentions of the most, the biggest, the highest, etc. Also included such things as two-headed calves or other oddities.
34. Seasonal things -- included non-agricultural seasonal items such as mentions of Christmas or Easter activities or ideas.
35. Social things -- included frolics, where large groups join in a combination social affair and mutual assistance effort. Also included family reunions.
36. Social banter -- included light-hearted comments of a gossip or amusing nature.
37. Special days -- included mentions of birthdays and anniversaries. Excluded funerals, weddings, baptisms and ordinations.
38. Status and roles -- included mentions of the role of women and comments indicating prestige or low esteem.
39. Taxes and benefits -- included mentions of new, existing or proposed taxes or benefits.
40. Technology -- included mentions of non-transportation technology, such as telephones, computers or other items.
41. Transportation -- included mention of specific transportation means such as cars, trucks, vans, buggies, airplanes and trains. Also included mentions of drivers, which are used by the Old Order who wish to travel in cars but who will not drive them.
42. Trials and temptations -- included mentions of exceptionally tragic tales, especially when more than one death arises from a single incident.
43. Visiting, visitors -- included mentions of visits to the region where the letter originates or of visitors from other locations.
44. Weather and heavens -- included mentions of rain, snow or drought.
45. World view and the future -- included mentions of the future.
46. Crime -- included mentions of specific crimes in which police are called or suspicious events deemed worthy of a warning.
47. Other -- unclassifiable contents.

Appendix 3

Here are the content results of the content analysis categories. Categories were not stringently quantified, although it became obvious throughout the coding that particular types of content were more commen that others.

FINDINGS BY CATEGORY

1. Accidents and Mishaps -- These were often mentioned in letters, but they contained nothing that would set the Amish apart from other farm people, except perhaps for the fairly frequent mentions of buggy and/or horse accidents and injuries from being kicked by a horse. Examples included: fires; a van breaking down; luggage lost; falling asleep at the car wheel; various broken bones; numerous falls and accidents related to work, such as logging, sawing or cutting cheese; hitting deer with a car; a child falling in hot lard; a horse spooked and the buggy side-swiped a car, injuring the driver of buggy; a child drinking kerosene; car trouble; horse kicking someone in the eye and blinding him; eye injury from falling debris in construction; an overdose on aspirin; a gun going off in house and almost hitting a toddler; a sledding accident; a lawn mower accident; milk truck wreck; an accident on a three-wheeler; and a child playing hide and seek who was lost temporarily.

2. Advertising -- There were none to speak of in columns by design, but were a few mentions in letters of availability of a book or monthly newsletter from the scribe. The Liberty, Ky., scribe said his newsletter was available; later in the same issue the Liberty scribe said his book is available. The Hutchinson, Kan., scribe advertised about his writing a directory of Old Order Amish.

3. Agriculture and Farming -- There were frequent mentions, particularly in the planting and harvesting seasons. It usually during a mention of weather, telling how the crops do or do not need rain. Crops and/or activities associated with it include: hand corn husking (Nov.); chicken butchering; hog killing (Dec.); hog raising; "sugaring" (Feb.); making maple syrup; sugar camps open; gardening (March); and syruping; sewing oats (April); peas are up; alfalfa; gardens; milking (June).

4. Amish, Amish-Mennonite and Mennonite -- An occasional mention of any one of the three appears in various letters. There is no clear pattern of mention. It just crops up from time to time. There is even one mention of Anabaptist.

5. Animals -- Scribes mention just about every domesticated animal and a few not so domesticated. Birds are mentioned most often, particularly when appearing in spring or in winter. They also mention red foxes (eating chickens), camels, bears, rattlesnakes; ducks; geese; deer; lambs; fish; goats; dogs; beavers; chickens; raccoons; cows; horses; turkeys; snake; bats; bull moose and elks (Montana);

6. Births -- This is mentioned in just about every letter and quite often there is more than one per letter. All scribes appeared to keep up to date on these, along with several who gave end-of-year stats for their area regarding vital stats such as births.

7. Church life and practice -- This is one of the first things mentioned in every letter, usually after the weather. Scribes usually told who preached at church today or night or where it was, plus where church would be next time. This was especially true in areas in which church met in homes on a rotating basis. Scribes mention a few special services such baptisms, ordinations and new members.

8. Church outreach -- This applies only to the Beachy Amish. Such things as revival meetings, mission board activities, or mission trips or efforts were the usual indicators of such things in the letters. For the most part, however, letters were free of solicitation to join or visit a church, partly due to the editor's leaving such things out and partly because the Amish do not solicit outsiders to mingle with them at all. Also Beachy Amish mention prison ministries. Missions also are in foreign countries.

9. Clothing and attire -- The only mention in the entire sample is in one letter which mentions dresses and bonnets that a writer from Pinecraft, Fla., said makes Amish women from Lancaster, Pa., "easily identified."

10. Courtship and marriage -- There were very frequent mentions of wedding plans. Practically every letter contained these, listing one or more couples which the writer said has been "published" and is engaged. There is little discussion of courtship per se.

11. Deaths and funerals -- These are among the most frequent contents of letters, given the fact that people die and do so year around. Causes of death sometimes are mentioned, which are not unlike non-Amish people: cancer, heart attack, leukemia, stroke; stillborn births; Some letters contain full-fledged obits on the deceased.

12. Drugs, alcohol and tobacco -- One letter notes that an Amish man's driver was arrested on possession of marijuana charges. A few letters mentioned erratic behavior in crimes done by people using drugs; only one letter mentions the perils of tobacco. A scribe from Cookeville, Tenn., is glad that Greyhound bus lines have banned smoking on its buses. "On the plus side is a total ban of any tobacco smoke aboard the buses. We used to come home from a bus trip smelling like smoke, but not anymore." And then comes an interesting side comment: "However thankful I personally am for the no-smoking regulations, it does strike me odd that perhaps 95% of the plain people (Amish) who still use the buses rather than hiring a van, are the ones who have nothing against tobacco." Two other letters spoke of tobacco farming. One scribe from Cynthiana, Ky., reported that tobacco prices were up and one from Paradise, Pa., reported that tobacco farming is going well.

13. Economics and ethics -- The very few references to economics included: milk prices and how they are going down. One Pa., scribe reported that "carpenter work is slow due to the world conditions." Occasionally letters would report on home or estate or cattle sales and the given amount raised; there were several mentions of farms being for sale; free fishing privileges; the quilt going for highest amount in a sale and the currency rate.

One scribe from Heuvelton, N.Y., wrote an impassioned letter devoted largely to the economic plight of the Amish due to skyrocketing land prices. It reads: "If times goes on, we will need more land for our descendants. It would be too far south to suit me to live there (Vidalia, Ga.) as I still don't enjoy much warm weather. . .It is plain to see that the old settlements are getting so crowded and land so high that it is almost impossible to keep our young ones on farms. It does take courage for younger people to just pack up and move out, leaving friends and relatives behind."

14. Editor, scribes -- *The Budget* -- Such mentions were infrequent and dealt with either the 100th anniversary of the budget (in 1990); responses or comments to other scribes for information; or comments that they would no longer be scribes and would pass it on to their son, for example. Were also several mentions of the annual scribe reunion.

15. Education and schools -- Such mentions were regular during the school year. They would include school board meetings, about new or former teachers; special school programs around holidays and, of course, the beginning and ending of the school year. One scribe in Batesburg, S.C., reported that students took a field trip and toured a military ship; one mentioned home schools in Virginia; one from Ohio mentioned a school for handicapped; 2-3 mentioned a Bible College; one scribe from Ohio said her preacher can't read but his wife helps him with sermons; one from Horse Cave, Ky., said ag extension service will soon tell farmers how to grow sorghum for molasses; one mentioned a man in the community will take his plumbing test (from N.M.); and one scribe from Bellefontaine, Ohio, reported that the teachers and school board visited a public school at its invitation. There were a very few mentions of high school.

16. Food and diet -- There are a few references to specific foods, mostly what one would find in a country garden: corn, peas, rhubarb; asparagus; strawberries; tough meat; turkey; beef; barbecued pork; beans; squash; waffle breakfast; green beans; cherries; broccoli; chicken; watermelon; peaches; pickles; sweet corn; tomatoes; fish fry; apples; soup; salad; potato salad; plums; cinnamon rolls; cake; ice cream; etc. and one mention of pizza in Amelia, Va.

17. Health and hygiene -- Practically every letter had some reference to an ailment by someone in the community. Such ailments ran the gamut of human existence it seemed, including: stomach pains; cancer; heart attacks and related ailments; tubes in child's ears; childhood diseases (measles, chicken pox); slipped discs; back; heart; pancreas; hip; pneumonia; chelation treatments; flu; sore eye; tumors; leg amputations; surgery for spot on back; premature baby; tumors; coma; hepatitis and liver transplant; blood clots; stroke; dehydration; high blood pressure; rheumatoid arthritis; cataract surgery; weak ankles; brain surgery; six-bypass heart surgery; insulin shock; "oriental" disease; seizure; overdose on aspirin; overdose on cough syrup; gout; ingrown toenail; mononucleosis; and one reference in Wisconsin to carpal tunnel syndrome by a woman; one surefire cure for hiccups (peanut butter or simply smelling it); emphysema; and blocked bowels.

    Most often mentioned ailments were cancer and heart attacks or high blood pressure.

18. Historical highlights -- There were only about six letters containing such highlights, which generally involved reminisces by scribes about genealogy or historical recollections of a geographical area.

19. Intergenerational viewpoints -- Three were mentioned in which scribes gave a view of the world across generations. Letters would note differences in perspectives between the young and the old.

20. Language and vocabulary -- Four letters mentioned this. A July 18, 1990 letter from Uniontown, Ohio, mentioned a French couple who could speak the Amish dialect. (p. 18)

21. Literature and the Bible -- Three letters had a reference to this in part because anything resembling preaching or proselytizing members is edited out of letters. One letter mentioned the book, "I Saw it in *The Budget*" and discussed a poem read at *The Budget* 100th anniversary celebration. "The Pee Wee poem that was read by little gnipply we found in Dad's old desk after mother's death. I was in a German Almanac." (Sunnyside, Fla. letter Sept. 26, 1990, p. 5) Another letter (Aug. 15, 1990, p. 1, from Union Grove, N.C.) said a former Catholic priest visited services and had accepted Anabaptist teachings. His hosts gave him "different books and literature, including the *Martyrs Mirror*, -in an effort to satisfy his desire to know more about it."

22. Mail and letters -- Occasionally letters would solicit cards, letters for brethren who are sick.

23. Mobility and travel -- With few exceptions, letters mentioned travel throughout the U.S. and other countries as far away as Russia or Central America.

24. Moving -- Mentions of moves were quite commonplace, though not nearly all letters contained this. There was rarely a clue as to why the move was necessary.

25. Music and singing -- Quite frequently letters would contain information about singings, usually in relation to church activities. The youth were usually the ones doing the singing, sometimes at local nursing homes. The most interesting reference to singing was that a music teacher from Purdue University visited a service and was taken aback by the different kind of singing (a capella) she found, but the scribe reported that she liked it.

26. Mutual assistance -- Very often letters would contain references to several persons from the community getting together to help others of their number who were in need. Such aid ranged from quilting gatherings to raise money for an operation, to helping newcomers in the area get settled; to having barn raisings, to having a sale for cancer victims; cleaning a house and getting it ready while the owners were on vacation; to making noodles for someone; painting a house, etc., for new occupants. In general the aid varied widely according to the need. In some instances women stayed with invalids or young children so that parent or parents could tend to other needs or simply go to church.

27. Names and nicknames -- Every letter contained numerous names. The most striking thing was the names were so similar. Yoder, Miller, Jonas, Beachy, etc., were frequently used.

28. Occupations -- These were mentioned occasionally and generally included labor-intensive, basic skills such as: carpenters, plumbers, craftsmen, i.e. those who make hickory rocking chairs, sawmill owners; log cutters; pallet shop owners; buggy shop owners; shearing sheep; teaching; beekeeping; shop owner; pulp wooders; engine repair shop; dairy job; "thriving business": giving dinners to tourists; doctor in the mines; blacksmith; baker; farmer's market; doctoring; cabinet maker; a "hired girl"; goat milking; works on taxes; working in rest home.

29. Outward views -- One Limpytown, Ohio, scribe commented on "Dear Abby" and dropping in: "I don't subscribe to a daily newspaper but occasionally I browse through one. Just recently I noticed in the "Dear Abby" column that there was a discussion on whether it was proper to "drop in" at a friend or relative's house without prior notification.

From what I gleaned from the paper most readers through it very rude to just "drop in." Sure there are times when it is not proper to "drop in," such as late at night, although circumstances might come up so that this cannot be avoided, but among plain people "dropping in" unannounced for a visit or a meal or even for overnight is a common practice. Even if "Dear Abbey" and the majority of non-Amish think this practice is rude or not proper, I hope this custom can be upheld in our plain communities. I suppose one of the keys to unholding this practice lies in maintaining our simple lifestyles."

There were a few mentions about the Mid-East crisis and Saddam Hussein. For example, the scribe from Uniontown, Oh., wrote: "A prayer chain is being formed across the North American continent for peace in the Middle East. There is much apprehension which appears as though the ruler of Iraq will not yield to the demands that he withdraw from the small country of Kuwait." A scribe from Hartville, Ohio, also spoke of the Mid-East situation in the Aug. 15 issue: "All eyes are toward the Middle East wondering what will Saddam do next. Will he cross into Saudi Arabia or withdraw from Kuwait?" Also in Sept. 12 issue, p. 8, the Holton, Mich., scribe comments on building permits: "Having lived alone in the Athens, Mich., area for four years we felt it was essential that we find a community again to communicate, share and neighbor with. The five children being ages 8 to 13, it is imperative that they have playmates, classmates, community life working and playing together."

30. Pacifism and peacemaking -- There were no references to this.

31. Puzzles and riddles -- There were no references to this.

32. Recreation and avocations -- The most-often mentioned recreational activity, which arguably could be more necessity than recreation, was deer hunting, which of course took place during hunting season in the fall and/or winter of the year. During that time, scribes often mentioned when hunting or doe season began and often listed those who recently killed deer. Other recreational activities in winter included sledding, tobogganing and ice skating; ice fishing; volleyball; bird watching; camping; touring museum; hayrides; visiting zoo; touring an Amish home; tractor pull; scavenger hunt; picnic; touring John Deere museum; ball game; sightseeing; playing with a wagon; soccer; hockey on pond; boating; sleeping out.

33. Records and the unusual -- These generally were linked to farm life, such as a three-yolk egg; quadtruplets; five vehicles "skating" on an icy pond; 31 puppies total from 2 litters the same year from same dog; someone visiting brought chunk of Berlin Wall he chopped himself; 11-pound sweet potato; big carrots; spotted golden eagle; and an interesting passage about "Ruthie the cow" from the Reading, Mich., scribe: "The story about the large steer was interesting, but I wonder if Michigan might have a bigger cow. Ruthie, the dairy cow, is a huge attraction at the State Fairs 'Dairy Days'. Actually, Ruthie would be a huge attraction anywhere as she stands 13 feet and 4 inches tall...Not to worry, though: 'Ruthie' is one of the most gentle giants you'll ever see as she is made out of fiberglass and mounted on a mobile platform...."

34. Seasonal things -- Nothing under this entry.

35. Social things -- These were mentioned in the majority of letters. These were most often dinner visits to someone's house or reunions. Other activities included sewing, quilting and various get-togethers, such as cookouts. baby showers, and donut-making parties; frolics were mentioned occasionally, which means social events hosted in preparation for mutual assistance events, such as barn raisings, etc.

36. Social banter -- Scribes occasionally showed a sense of humor in the midst of otherwise routine or sometimes somber news. For example, a Maryland writer offered a tip for chiggers; a Michigan scribe said, "our chickens decided they laid long enough, so we decided they lived long enough. A Delaware scribe said, "It's quite hard for active boys to be inactive," and a Pennsylvania scribe described a hide-and-seek game gone awry: "When Lee and Joanne was ready to go to the house after doing chores last evening, they couldn't find Matthew. Earlier the children had been playing hide and seek. Everyone started to call and look for him with flashlights. Finally Lee found him sitting on a tractor in the dark, as quiet as a mouse and not a bit scared. Apparently he was still playing hide and seek."

37. Special days -- These were most often birthday and anniversary celebrations, along with holiday events relating most often to Christmas, New Year's Day or Thanksgiving. There were some references to graduation and religious events, such as Ascension Day. Grandparents day also was mentioned.

38. Status and roles -- Nothing on this.

39. Taxes and benefits -- The only letter to mention taxes was from Canada, referring to a proposed goods and service tax, which the writer noted that the Amish supported.

40. Technology -- This was rare but it included such things as a two-row horse cultivator; a new hog processing plant; and a bulldozer.

41. Transportation -- More often than not, if any transportation was mentioned it was either by car or truck, by bus, train or van and on numerous occasions by air. Horses and buggies were mentioned least often.

42. Trials and temptations -- nothing on this.

43. Visiting, visitors -- This was the most often mentioned content item in all letters. The bulk of most letters included the visitors and visiting of the previous week.

44. Weather and heavens -- The vast majority of letters opened with a comment on the weather and none failed to mention it, year 'round.

45. Worldview and the future -- Nothing on this.

46. Crime -- There were occasional mentions, such as: having caught an armed robber; checks were stolen and a bank account drained; a new mailbox was flattened by vandals; someone took a buggy and wrecked it; two men working the neighborhood as insurance salesmen; a drug addict shot at a man. The police were called. Others include a man who is going around and trying to talk to children, and a man whose car was stolen while he was working at a factory. He said he was in a hurry and forgot to take his keys. On a less serious note, someone rolled two bales of hay into the road and halted traffic. Four recent fires were believed to be arson, according to a Pennsylvania scribe, in February; and one man was charged with trying to sell someone else's lumber for $21,000.

47. Other -- Only the previously mentioned comment on tourism, discussed in the text.

Market Subordination and Secret Combinations: Scripps Howard Newspapers and the Origin of Joint Operating Agreements

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Market Subordination and Secret Combinations: Scripps Howard Newspapers and the Origin of Joint Operating Agreements

Studies involving media economics note joint operating agreements (JOAs) originated with the Albuquerque agreement in 1933. This cooperative agreement, arranged by the Albuquerque Journal and the Albuquerque Tribune, helped to ease the financial strain caused by the Depression by allowing two competitive papers to organize a third agency company. This company handled the business, advertising, circulation, and printing needs for the two newspapers, thus forming what became known as a joint operating agreement. Meanwhile, the newspapers maintained separate editorial and news staffs under different ownership and each received an agreed share of the net profits.[1]

Competitive newspapers currently exist in approximately two dozen markets. JOAs have now become the modal situation in the United States with such agreements operating in twenty-two markets while the remainder of the markets are primarily monopoly situations. JOAs continue to develop in large newspaper markets with the most recent formed in Detroit in 1989 between the Detroit Free Press and Detroit News.[2]

Although joint operating agreements continue to develop, little information is known on their origins. There is no mention of JOA's or their place in newspaper economic history in media history textbooks, and there is only a brief mention or listing of early joint operating agreements in media economic studies.[3]

While most media historical research on the 1930s focuses on the print press relationship with radio and press coverage of the Depression, little historical research has been done on media concentration or economic performance during the decade.[4] Furthermore, most of the research on this time period originated from media economic studies performed during the 1930s. The studies are dated, although they give some insight toward the trend of concentration.[5]

Recent media economic historical research has dealt with the factors behind competition, but none of the studies address joint operating agreements. Many of these studies recommend more historical research on media economics.[6]

The purpose of this historical study is to trace the origins of joint operating agreements and look at the organizations that developed and implemented the first joint operating agreements. It also will examine the roots of the JOA concept and the management incentive for implementing JOAs.

This paper will look at the first five JOAs formed in Albuquerque, El Paso, Nashville, Evansville, and Memphis. All of these markets, except Nashville, involved a Scripps Howard-owned paper. Although the Nashville JOA did not include a Scripps Howard paper it involved a former Scripps Howard executive. To review these JOAs, letters from the E.W. Scripps papers at Ohio University, the Roy W. Howard Archive at Indiana University, and the Howard papers at the Library of Congress were examined.

Market Subordination and Secret Combinations

February 14, 1933, marked the formation for the first joint operating agreement in newspapers. Although this was one of the first formal agreements involving a Scripps newspaper, it culminated a forty- year history involving agreements of various types among the Scripps newspapers.

Most of the Scripps papers played a subordinated role in markets; only four of the forty-eight newspapers owned by the Scripps empire by 1933 were the dominant paper in a market. At one time or another the Scripps Howard-owned Cleveland Press, Cincinnati Post, Albuquerque Tribune, and El Paso Herald-Post held dominant market positions. From 1878 to 1933 the Scripps empire sold or killed eighteen newspapers it had purchased or started. The papers were often money losers, and all were in a subordinated market position.[7]

By 1933, the Scripps Howard chain only had three papers in a dominant position in markets.[8] Roy Howard, chairman of Scripps Howard, had realized in 1922 that all of the company newspapers were losing ground to competitors in circulation. The report was the same one year later, as well as ten years later.[9] The Albuquerque market in 1923 was the first market entered into that Scripps Howard had a dominant paper since E.W. Scripps started and built up the Cleveland Press and Cincinnati Post, and it lost ground after the acquisition by Scripps Howard.[10]

Having newspapers that were in a subjugated position in a market greatly troubled Edward W. Scripps. He was never happy at playing a secondary role to Joseph Pulitzer, William Randolph Hearst, Edwin Cowles, or William Rockhill Nelson, and he never considered himself as great as these men because they all had dominated Scripps newspapers in their respective markets while he was alive.[11]

Playing an inferior position in markets was a role the Scripps newspapers first fought and on which they then compromised. If the management could not beat the competition then join them. The Scripps newspapers often resorted to "combinations" to accomplish a joining venture and they were used successfully by Scripps newspapers in several cities with the rates for advertising or circulation set uniformly to eliminate other competition and create profits. Milton McRae, general manager of Scripps McRae newspapers which was the forerunner of Scripps Howard, personally arranged many of the early combinations.

Fixing circulation rates with competitors was one combination which was used successfully. In St. Louis in the late 1890s and the turn of the century, Scripps' St. Louis Chronicle joined into a combination with Pulitzer's St. Louis Post-Dispatch. This created uniform circulation rates between the papers so a profit could still be made.[12]

The size of papers was another combination used to make a profit. In Cleveland, McRae advocated a combination in 1895 between the four competing newspapers which would set the maximum size of the papers, the price of the papers, and advertising rates. McRae alluded to similar agreements elsewhere and suggested that "the papers made more money by such combinations than they would have otherwise in other circumstances." Therefore, McRae proposed to E.H. Purdue of the Cleveland Leader:

> There is no secret, no scheme, no unfair method in anything I propose. I would however like you to consider this matter, and if you will agree to make such an agreement as outlined, I am sure it can be carried out successfully and profitably to all concerned. I will be glad to talk to you and I believe I can eradicate from your mind any ideas you may have showing the proposed scheme to be disadvantageous....Of course, I ask you treat the entire matter as a confidential communication.[13]

Scripps' St. Louis Chronicle attempted numerous combinations with Pulitzer's St. Louis Post-Dispatch and the St. Louis Star-Sayings. The combinations were used to fix ad revenue and circulation prices, and arrange the common use of newsboys. One combination was thwarted when the Star-Sayings quickly caused problems by not abiding with the agreement and a law suit between Colonel Jones and Pulitzer also was a problem. Jones was editor and part-owner of the Post-Dispatch, but Pulitzer became disaffected with his management and fired him. Jones produced a five-year contract with Pulitzer and took the case to court.[14] Jones knew the combination would experience a temporary setback and that Pulitzer was not prepared to fight him because he was having a difficult time in New York with Hearst, who was "bothering him like he had never been bothered before."[15]

The case was a setback for the Chronicle, which had hoped to profit by the combination after losing money since its inception in 1880. The Chronicle management could do nothing about the Pulitzer lawsuit, but was intent on doing something about the Star-Sayings betrayal. Herbert M. Young, business manager of the Chronicle related his plans to McRae:

> It was a dirty, sheeny trick on the part of the Star-Sayings. Both Jones and I have agreed that it was, and as soon as the case is over and Jones is in possession I intend to enter into a combination to force the Sayings off the streets, get them out of our branches and do a number of other dirty things. We are working hard on it and I intend now to cut loose in the way of a large number of travelling men and do other things which I should have done from the start.[16]

Combinations were attempted many more times in St. Louis but they rarely lasted long. One paper would detect a violation of the agreement, and the circulation rate war would resume.

The use of combinations was legal at this time, although in McRae's letters he requested strict confidentiality, obviously because of perceived advertiser and public reaction. The Sherman Anti-Trust Act of 1890 made further activity of this type illegal however Scripps newspapers continued the practice because the "trustbusters" were after the more obvious violators in the oil, steel, and railroad industries and paid no attention to newspapers.[17]

Scripps newspapers continued to use combinations in Detroit, Akron, and Denver. On one occasion William Hawkins, general manager of Scripps Howard, was sent to Oklahoma City to visit Walter Harrison of the Daily Oklahoman to negotiate anything that might bring some advantage to the Scripps Howard-owned Oklahoma News but they could not reach an agreement.[18]

The practice continued throughout the chain. Even as late as the formal Albuquerque agreement in 1933 a combination fixing circulation prices was arranged in Knoxville. The Scripps Howard business manager, Bill Chandler, suggested all the chains' papers should seek similar action.[19]

The Depression and the Rise of Radio

Failure of newspapers during the Depression was not just a concern but reality. The Scripps Howard chain formed four joint operating agreements and attempted a fifth, during this time period as a safeguard against the Depression. Even with this measure Scripps Howard between 1930 and 1939 still lost or sold six papers: the Los Angeles Record, Akron Times-Press, Toledo News-Bee, Oklahoma News, Youngstown Telegram, and the Baltimore Post.[20]

There may have been an attempt to negotiate joint operating agreements in these markets as well before the papers were eliminated or sold. In Oklahoma City, former Oklahoma News editor Lee Hills was unaware of any effort by Scripps Howard management to form joint operating agreements in any market.[21] This is not surprising since the chain was reluctant to grant editors much autonomy. Negotiations of joint operating agreements occurred between Scripps Howard management and the competitive paper's owner or publisher and the local editor was not involved in the negotiating process.[22]

At the beginning of the Depression newspaper circulation plummeted and the loss affected revenue from circulation and advertising. Advertisers simply paid less for space in newspapers. The four Scripps Howard papers in what became joint operating agreement markets were hit hard in the early years of the Depression. In a 1931-1932 comparison of October ad linage the Scripps Howard newspapers were heavy losers to competitors in Albuquerque, El Paso, and Evansville. In Albuquerque the Scripps Howard-owned Tribune experienced a loss of 26.6 percent in ad linage compared to a 15.3 percent loss by the competing Albuquerque Journal; in El Paso the Scripps Howard-owned Herald Post lost 37.5 percent in ad linage compared to a loss of 6.9 percent by the competing El Paso Times; and in Evansville, the Scripps Howard-owned Press posted a loss in ad linage of 38.2 percent while the competing Evansville Courier lost 29.8 percent and the Evansville Journal lost 35.5 percent in ad linage. Thus, in all of these markets the Scripps Howard papers were losing advertising at a greater rate than competitors.[23]

From 1929 to 1939, newspaper advertising revenue fell 45 percent, while radio advertising revenue doubled. In 1929 newspapers carried 54 percent of the national advertising available, whereas radio received 4 percent. By 1939 newspapers had 38 percent while radio was up to 27 percent of the national advertising.[24]

Advertising moving to radio was not the only problem newspapers faced with the broadcasting industry. There was also the profitability of radio. Money that previously would have been spent to bolster newspaper operations now was used for the purchase of radio stations. Scripps Howard was among those to diversify into radio when on August 24, 1935, it formed Continental Radio. One week later Scripps Howard acquired radio station WFBE in Cincinnati and changed the call letters to WCPO; in October of the same year WNOX in Knoxville, Tennessee, was acquired, and in 1936 radio station WMC in Memphis was purchased. In early 1937 Continental Radio's name was changed to Scripps Howard Radio, and in July 1937 WNBR in Memphis was added to the growing Scripps Howard radio empire.[25]

Even with the diversified investment in radio, Scripps Howard had a sizable newspaper enterprise to preserve. With the pressure of lost revenue from newspaper advertising the company formalized a practice it had been using for forty years - combinations.

Albuquerque

Albuquerque Tribune editor Carl Magee was reeling under the financial pressure of defending incessant lawsuits by political appointees in New Mexico. The trials stretched from June 1923 to July 1924, and by September 1923, they had eroded Magee's financial base. His frequent appearances at hearings and trials also made it difficult for him to continue to operate the Tribune. Relief came in September 1923 when Robert Scripps, son of E.W. and general manager of the Scripps Howard Newspapers, purchased the Tribune. The financial relief allowed Magee to continue his fight against political corruption in New Mexico.[26]

Fighting corruption was an obsession with him. Early in February 1922, Magee's first newspaper, the Albuquerque Journal, had begun exposing the Teapot Dome scandal and U.S. Senator Albert Fall's relationship to Mammoth Oil Company. Magee had purchased the Journal from Senator Fall and had quickly noticed the senator's new-found prosperity including expensive improvements to Fall's ranch. Upon investigation, Magee and associate Clinton Anderson had uncovered information that Senator Fall had arranged a secret lease, giving exclusive production of the Teapot Oilf field to Mammoth Oil. In turn, Fall had received monetary kickbacks from Mammoth.[27]

Exposure of this information began new battles for Magee with Senator Fall and his cronies as the Albuquerque Journal continued to expose information linking Fall to corruption. One day Senator Fall came into the newspaper office and asked in a demanding tone, "Who is the son of a bitch who is writing lies about me?" Anderson stood up and replied, "I'm the son of a bitch and I don't write lies." Fall was not done with Magee. He stalked into the office shortly after his March 1922 story on public funds finding their way into private hands and threatened Magee, "I'll put you on the rack and break you." Magee told him to "fasten his hat on tight and get out!" Actions soon replaced Fall's words. Magee's bank loans were called suddenly, and an advertising boycott was instituted. Magee was unsuccessful in locating financing and lost the Journal in April 1922.[28]

Magee was defeated and the matter was closed as far as Fall was concerned, but in June 1922 Magee was back in business with a new paper the New Mexico State Tribune. He immediately continued his attack on Fall and this time Magee was not alone as major papers across the United States were calling for Fall's resignation. When a congressional investigation of the scandal was over the New York Times said, "In all its history the Democratic Party has never been disgraced by such a scandal as the lease to Teapot Dome."[29]

Anxious to continue the fight against corruption Magee broadened his criticism to include political appointees of Senator Fall in New Mexico. He began to attack Sec Romero, boss of San Miguel and Guadalupe counties, and Judge Leahy, justice of the fourth judicial district.[30] After an editorial criticizing these men, Magee was indicted on criminal libel and appeared in the court of Judge Parker, a member of the Fall political machine, in Las Vegas, New Mexico, before a non-English speaking jury. He was promptly sentenced to a year to eighteen months in the penitentiary. Although he knew it would cause problems, Magee wrote of the injustice and each day during the trial an editorial appeared in his newly renamed Albuquerque Tribune. Magee was cited for contempt of court, but public sentiment and political pressure caused the Governor to pardon Magee. The courts debated for a year about whether the Governor could pardon Magee and then Judge Leahy tried him for one of the contempt charges. He was found guilty, fined $4,050 and sentenced to a year in jail. This time the Governor's pardon stood. Although the sentences did not hold, another part of the plan of the Fall machinery was taking its toll. If the lawsuits did not work, then the legal fees and frequent trips to Las Vegas, 120 miles away, would ruin him financially.[31]

Meanwhile the lawsuits continued. The defense of the cases and his absence from the paper was destroying him financially. Robert Scripps, chairman of Scripps Howard Newspapers, learned of the embattled editor's plight and offered to buy his paper to relieve him of the financial burden. Thus, in September 1923, the Albuquerque paper became part of a chain of twenty newspapers owned by Scripps Howard.[32] Magee's continued battles culminated in a fight and a shooting in a Las Vegas hotel with Judge Leahy. He attacked Magee in the lobby, knocking him to the floor and beating him. Magee pulled a gun he was carrying and fired and two bullets and wounded Leahy and a third killed a bystander. Magee was brought up on charges of manslaughter and acquitted.[33]

When Scripps Howard purchased the Albuquerque Tribune, the paper had almost twice the circulation of the competing Albuquerque Journal. However, the Tribune did not maintain a dominant position for long in the Albuquerque market under the Scripps Howard ownership. The editorial vigor of Magee that built up the paper also started to alienate segments of the audience. That, along with absentee ownership, resulted in a decline in circulation for the Tribune.[34]

Within two years of the Scripps Howard purchase, the morning Journal began an evening paper to compete directly with the Tribune. In 1926 the Tribune had a circulation of 10,409 compared to 4900 at the Journal. Seven years later the Tribune had increased to 14,990, while the combined circulation of the Journal soared to 20,694. The six-year-old evening Journal rose from nothing in 1927 to threaten to overtake Scripps Howard's Albuquerque Tribune.[35]

Although the morning and evening Journal were healthy, the Depression caused a loss in revenue, which was difficult for its owner, Thomas M. Pepperday. Scripps Howard had many papers to absorb losses, but the Albuquerque Tribune was slated for closure if the downward trend continued. On December 12, 1932, Pepperday met in Chicago with Scripps Howard's general manager, William W. Hawkins, and corporate general counsel Thomas L. Sidlo. The Scripps Howard lieutenants proposed a plan of operation that would benefit both concerns in Albuquerque, and Pepperday came away hopeful that some agreement could be reached that would give both parties an adequate return in Albuquerque.[36] But at the beginning of January, Pepperday was still seeking more specifics on how the Scripps Howard chain would propose to form an association and help return both papers to pre-depression profits.[37]

The Scripps Howard plan called for the elimination of the afternoon Journal, leaving the Journal as the only morning paper while the Tribune would be designated as the only evening paper. The Scripps Howard organization had devoted considerable time, study, and thought to the proposal. The hierarchy felt it was time well spent because the "principle and precedent involved might prove of great consequence if it worked out successfully."[38]

By February the agreement was finalized. On February 14, 1933, Scripps Howard management and Pepperday met at the Scripps Ranch in Miramar, California, and a contractual agreement was arranged involving both newspapers formerly owned by Magee. It included the consolidation of the business and mechanical departments of both newspapers under a new agency, the Albuquerque Publishing Company. The Albuquerque Journal would discontinue its evening edition and continue to print the morning paper, while the Albuquerque Tribune would continue with the evening paper. The editorial and news staffs of the papers moved into the Tribune building, but were housed on separate floors.[39]

Roy Howard wanted the Albuquerque JOA to be a precedent, so he set out to avoid problems in the early weeks of operation. He particularly needed the editors of the Albuquerque Tribune and Albuquerque Journal to ensure editorial independence and divergent viewpoints. In a letter to Pepperday, Howard stated:

> It seems to me inevitable that the community will suspect that there is some element of a frame-up in this proposition.... With this in mind, I think it is especially important that both papers pursue divergent editorial courses and be sure that they do not, consciously or unconsciously, justify the public in any belief that they are indulging in mutual back scratching.[40]

This was the first joint operating agreement. But more than one agreement was in the negotiating process. Robert Scripps also was working hard in San Diego negotiating an agreement. He had hoped at first that two agreements would be reached at the same time, but later he hoped the Albuquerque precedent would push a San Diego agreement forward.[41]

San Diego

In early February, before the finalization of the Albuquerque agreement, Scripps and Hawkins visited with Colonel Ira B. Copley, owner of the San Diego Union and Evening Tribune. Scripps hoped to persuade him to consider an agreement similar to the one being negotiated in Albuquerque.[42]

Copley had purchased the two papers in 1928 from the estate of sugar magnate John D. Spreckles.[43] They were competitors of the Scripps Howard-owned San Diego Sun. In the latter part of the 19th century, Spreckles and Robert's father, E.W. Scripps, had served as members of the San Diego highway commission along with Albert G. Spaulding of baseball and sporting goods fame. At one point differences of opinion between Spreckles and Scripps had resulted in a newspaper fight. The Scripps-owned Sun had begun running scathing editorials of Spreckles, while the Spreckles-owned San Diego Union had printed caustic cartoons of Scripps.[44] In 1905 when the Industrial Workers of the World (I.W.W.) came to San Diego the leaders went to Miramar to visit Scripps, a union sympathizer. Spreckles saw this as another opportunity to get Scripps since the appearance of the "Wobblies" were causing riots and disorder in the streets. The Union suggested that the Sun be mobbed and E.W.'s son Jim, working in the Sun office, heard the crowd outside yell, "We ought to go out and get old Scripps!" A mob came to the Scripps ranch but was met by a armed guard with a menacing look. The men returned to town and that ended the crisis.[45] With these events in the past and new ownership of the competition, Robert Scripps hoped for an agreement between the two newspaper organizations. At the meeting, Copley seemed interested in a proposition that they share business operations yet maintain editorial independence.[46]

Scripps became excited at the prospect of two agreements formed simultaneously, but time passed as the Copley organization studied the agreement. As negotiations finalized for the JOA in Albuquerque, Scripps felt it served a good precedent for San Diego, but his elation turned to bitterness when Copley sought the opinion of Tribune and Union editor James MacMullen. He had been the instrument of attack on many occasions against Robert's father and had a general distrust of Robert Scripps, the San Diego Sun, and the Scripps Howard organization. MacMullen recommended to not join into a mutual agreement because the Copley papers were clearly superior to the Sun.[47]

An outside negotiator, Ed Fletcher, heard of the Albuquerque agreement and met with Copley and Scripps to revive the idea. Scripps was interested, but Copley hedged on the possible arrangement. Frustrated, Scripps pursued the idea of a San Diego agreement no further and expressed his disappointment to Howard about the inability to organize the two joint operating agreements at the same time. An embittered Scripps rationalized the situation by saying, "Copley and his organization have generally made a mess of everything they have touched in California, and as I see it can eventually only accomplish a similar result in San Diego."[48] Three years would pass before Scripps Howard executives were successful at establishing another joint operating agreement.

El Paso

In 1923, Howard considered the Scripps Howard-owned El Paso Post hopeless and came close to closing it, but E.W. Scripps wanted to experiment at selling the paper for a penny. The experiment worked well, but the papers continued to flounder until 1931, when Scripps Howard purchased the dominant paper, the El Paso Herald, from Dorrance Roderick. Scripps Howard immediately merged the two papers and formed the El Paso Herald-Post.[49]

The newly formed Herald-Post became the leader in the newspaper circulation wars in El Paso. After the sale of the Herald to Scripps Howard, Roderick purchased the El Paso Times, which had substantially less circulation than the Herald-Post. At the time the Herald-Post merged, the Post had a circulation of 19,128, and the Herald was at 20,445. The El Paso Times circulation was 13,016. But between 1931 and 1936 the Herald-Post dropped in circulation to 23,660, while the Times rose to 18,905[50] During the same time period El Paso's population remained relatively unchanged. Thus, the losses in circulation were not due to a substantial change in population, but were simply a decision to choose the competing paper.[51]

In late July 1936, Hawkins of Scripps Howard met with El Paso Times owner Roderick to propose the possibility of entering into a joint operating agreement and on August 29, 1936, the rival papers started publishing from the same plant. The arrangement was similar to the Albuquerque agreement with an agency company formed to handle business operations. Both papers moved into the Scripps Howard-owned plant.[52]

By 1936, economic conditions were improving in some areas, but the Depression would linger on for three more years, meanwhile other publishers were examining the agreements in Albuquerque and El Paso as an alternative to losing money or closing the paper.

Nashville

On December 5, 1937, James G. Stahlman, publisher of the Nashville Banner, and Silliman Evans, publisher of the Nashville Tennessean, announced the formation of the third

JOA. The plan was identical in organization to the Albuquerque and El Paso agreements. A separate agency corporation was formed to handle the advertising, circulation, and mechanical processes of the two newspapers and used the same name as the agency in El Paso, the Newspaper Printing Corporation. Ward Mayborn of the Nashville Tennessean became general manager of the newly formed corporation and brought extensive experience to the position from his years with Scripps Howard newspapers. He had started Scripps Howard's Evansville Press and was later promoted to the general management division of Scripps Howard. This position had involved him in major decision-making sessions and had given him regional direction over the papers in Memphis, Denver, Terre Haute and Evansville. Thus, Mayborn's management experience provided valuable leadership in the formation of this joint operating agreement. His former paper, the Evansville Press, would follow the Nashville agreement as the next JOA.[53]

Evansville

Like many of the Scripps Howard newspapers, the Evansville Press maintained an inferior position in the market to the Evansville Courier. During the Depression Evansville successfully attracted business and the city was growing, but the Press experienced little change in circulation, while the Courier grew larger.[54] Scripps Howard management actively promoted a JOA in Evansville and it was adopted on December 31, 1938. The agreement paralleled the previous JOA's in structure.[55]

Before the end of the Depression, Scripps Howard would try one more experiment similar to the previously arranged joint operating agreements.

Memphis

In November 1926, the Scripps Howard-owned Memphis Press purchased the competing afternoon paper, the Memphis News-Scimitar, and almost immediately merged, forming the Memphis Press-Scimitar. Quick to counteract the merger, C.P.J. Mooney, owner and publisher of the Memphis Commercial Appeal, announced plans for a new evening paper, the Evening Appeal. Mooney died a week later, but the Evening Appeal still went forward and began publishing December 1, 1926.[56]

Scripps Howard had purchased the News-Scimitar in an effort to eliminate competition from the afternoon field, but the formation of the Evening Appeal quickly challenged it. After the purchase and merger of the News-Scimitar and the Press, the paper experienced a decrease in circulation meanwhile, the Evening Appeal rose from nothing in December 1926 to 83,904 in January 1933. This challenged the 105,397 circulation of the Press-Scimitar. The circulation of the morning Memphis Commercial Appeal in 1933 was 110,780.[57]

Once again, a Scripps Howard paper maintained a secondary market position. Then, an event occurred that favored Scripps Howard. On July 1, 1933, James Hammond Jr., the new owner of the Appeal papers, discontinued the Evening Appeal after borrowing money from Howard to help finance the purchase of the Appeal papers. There is no evidence that Scripps Howard demanded the removal of the Evening Appeal, but the possibility exists that this could have been a condition of the financing since it was one of the first moves made by Hammond.[58]

The discontinuance of the Evening Appeal gave the Press-Scimitar an opportunity to prosper, but it did not. As the population of Memphis rose less than 35,000 between 1930 and 1936, the circulation of the Press-Scimitar continued to decline. Circulation of the paper decreased from 110,780 in 1933 to 89,261 in 1936.[59] During the same time period the Memphis Commercial-Appeal rose in circulation from 110,780 to 121,895.[60]

Hammond continued to borrow money from Scripps Howard to support his extravagant spending on the Commercial Appeal. In 1936, Howard wanted him to borrow money from other sources to repay his indebtedness to the company, but Hammond could not come up with the money. Scripps Howard officials, concerned about the entry of a third party, stepped in and assumed control.[61]

John Sorrells, executive editor of Scripps Howard, was aware of the distinctive position of the Commercial Appeal in Memphis and decided to keep the two papers separate. Thus, the Commercial Appeal continued the same editorial philosophy as it had before the purchase. The lighthouse symbol of the Scripps Howard chain that graced the editorial pages of all of the chain's properties did not appear in the paper. The point of the experiment, in part, was to see which Scripps Howard paper could be profitable under varying control from Scripps Howard headquarters. After three years of separate operation an agency corporation, the Memphis Publishing Company, was formed on December 30, 1939. Scripps Howard decided to repeat the joint operating plan like the ones previously established by the chain in Albuquerque, El Paso, and Evansville and formed a joint operating agreement within the chain.[62]

The Memphis agreement was considered a joint operating plan at the time, but by modern definition was not. Hearings by the Senate Judiciary Committee on the Newspaper Preservation Act of 1970 defined the structure of a joint operating agreement. Since both the Memphis Commercial Appeal and the Memphis Press-Scimitar were owned by the same company this was considered a joint monopoly, not a JOA.[63]

Conclusion

Joint operating agreements were effective in preserving newspapers for Scripps Howard during the Depression. None of the papers entering into a JOA failed during this time of financial pressure, and the competing papers, the public, and the government appeared content with the agreement. A December 1936 Editor & Publisher article reporting on the Albuquerque and El Paso stated:

> There is a social significance, as well as a significance to newspaper publishers in the experiment of joint operation of newspapers....The chief value for other cities, if and as it may be applied elsewhere is seen in places which publishers consider "over-newspapered" -- cities where two newspapers are struggling and neither is flourishing....Does the El Paso-Albuquerque plan mean a new trend which may be widely copied?[64]

These two JOAs set a precedent for those that followed, as seen by the subsequent formation of JOAs in Nashville and Evansville. During the 1940s and 1950s Scripps Howard was involved in three more JOAs in Birmingham, Alabama, Knoxville, Tennessee, and Columbus, Ohio, out of fourteen formed nationally. Then, in 1979, Scripps Howard entered into its final JOA when its Cincinnati Post came to an agreement with the Cincinnati Enquirer.

After the Depression, Scripps Howard operated sixteen newspapers. All of the newspapers would eventually be sold or eliminated except the JOA newspapers and locations where the company achieved market dominance -- Rocky Mountain News in Denver, Pittsburgh Press, and the Kentucky Post. Currently, over 50 percent of the papers owned by Scripps Howard operate in JOA markets. It appears the Albuquerque-El Paso plan became a trend widely copied by Scripps Howard as well as the entire newspaper industry.

Endnotes

1. See Committee on the Judiciary, Newspaper Preservation Act: Hearings before the Antitrust Subcommittee on House Resolution 279 and Related Bills, 91st Cong., 1st Sess., 10, 24, 25 September and 1 October 1969, 10-85, for descriptions of joint operating agreements, and United States v. Citizen Publishing Company, 280 F. Supp. 978 (D Ariz. 1968), 394 U.S. 131 (1969), for legal definition of joint operating agreements, and "Rival Dailies Printed in Same Plant," Editor & Publisher, February 25, 1933, for details on the formation of the joint operating agreement in Albuquerque. According to the hearings before the Committee on the Judiciary the first joint operating agreements formed were in Albuquerque, New Mexico, 1933; El Paso, Texas, 1936; Nashville, Tennessee, 1937; Evansville, Indiana, 1938; Tucson, Arizona, 1940; Tulsa, Oklahoma, 1948; Madison, Wisconsin, 1948; Fort Wayne, Indiana, 1950; Bristol, Tennessee-Virginia, 1950; Birmingham, Alabama, 1950; Lincoln, Nebraska, 1950; Salt Lake City, Utah, 1953; and Shreveport, Louisiana, 1953.

2. See John C. Busterna, "Concentration and the Industrial Organization Model," Press Concentration and Monopoly, eds. Robert G. Picard, Maxwell E. McCombs, Stephen Lacy, and James P. Winter, (Norwood, New Jersey: Ablex Publishing, 1988), 43, for description of competing newspaper markets. The figure listed is from 1981 and competitive markets have decreased since the article. See also Stephen Lacy, "Content of Joint Operating Agreements," Press Concentration and Monopoly, eds. Robert G. Picard, Maxwell E. McCombs, Stephen Lacy, and James P. Winter, (Norwood, New Jersey: Ablex Publishing, 1988), 148-151, for elaboration on joint operating agreements. The article was published in 1988 and does not include the Detroit JOA formed in 1989.

3. See Edwin Emery and Michael Emery, The Press in America, An Interpretative History of the Mass Media, (Englewood Cliffs, New Jersey: Prentice Hall, Inc., 1984), and William D. Sloan, James G. Stovall, and James D. Startt, The Media in America, (Worthington, Ohio: Publishing Horizons, Inc., 1989), and Jean Folkerts and Dwight Teeter, Voices of a Nation (New York: Macmillan Publishing Company, 1989). These media history textbooks have no mention of the existence of joint operating agreements or the unique place JOA's hold in media economic history. See also J. Herbert Altschull Agents of Power (New York: Longman Inc., 1984), and Birthney Ardoin, "A Comparative Analysis of Newspapers Under Joint Printing Agreements," (Ph.D. diss., Ohio University, 1971) 7-10, and Birthney Ardoin, "A Comparative Analysis of Newspapers Under Joint Printing Contracts," Journalism Quarterly 50 (Summer 1973): 340-349, and Edward E. Adams, "A Comparative Analysis of Local Editorial Issues in Competitive, Joint Monopoly, and Joint Operating Agreement Newspapers, paper presented to Communication Research Conference," Athens, Ohio, April 2, 1992, and Ben H. Bagdikian, Media Monopoly (Boston: Beacon Press Books, 1983), and Walter S. Baer, Henry Geller, Joseph A. Grundfest, and Karen B. Possner, Concentration of Mass Media Ownership: Assessing the State of Current Knowledge, (Santa Monica, California: Rand Corporation, 1984), and Gail Lund Barwis, "The Newspaper Preservation Act: A Retrospective Analysis," Newspaper Research Journal 1 (Summer 1980): 27-38, and John C. Busterna, "Commentary: Improving Editorial and Economic Competition with a Modified Newspaper Preservation Act," Newspaper Research Journal 8 (Summer 1987): 71-81, and Benjamin M. Compaine, Christopher H. Sterling, Thomas Guback, J. Kendrick Noble Jr., Who Owns the Media? Concentration of Ownership in the Mass Communications Industry (White Plains, New York: Knowledge Industry, 1982), and George A. Donohue, Clarice N. Olien, and Phillip J. Tichenor, "Reporting Conflict by Pluralism, Newspaper Type and Ownership," Journalism Quarterly 57 (Winter 1985):488-499, 507, and Stephen Lacy, "The Effects of Ownership and Competition on Daily Newspaper Content" (Ph.D. Diss., The University of Texas at Austin, 1986), and Stephen Lacy, "Content of Joint Operating Agreements," Press Concentration and Monopoly, eds. Robert G. Picard, Maxwell E. McCombs, Stephen Lacy, and James P. Winter, (Norwood, New Jersey: Ablex Publishing, 1988), 148-151, and Alf Pratte, "Terms of Endearment: Owner Ethics, JOA's, and Editorial Independence," Journal of Mass Media Ethics 2 (Fall/Winter 1987): 30-40, and Royal H. Ray, "Concentration of Ownership and Control in the American Daily Newspaper Industry" (Ph.D. Diss., Columbia University, 1950), and Committee on the Judiciary, Newspaper Preservation Act: Hearings before the Antitrust Subcommittee on House Resolution 279 and Related Bills, 91st Cong., 1st Sess., 10, 24, 25 September and 1 October 1969, and Committee on the Judiciary. Hearing before the Committee on the Judiciary on S. 2314, A Bill

to amend the Newspaper Preservation Act, 99th Cong., 2nd Sess., 10 June 1986. Most of the studies mention the Albuquerque agreement as the first joint operating agreement. Many of the studies give definitions or descriptions of joint operating agreements. The best history of joint operating agreements is found in the hearings of the Congressional Committee on the Judiciary. It is primarily a listing of where and when joint operating agreements formed.

4. See Margaret A. Blanchard, "Press Criticism and National Reform Movements: The Progressive Movement and the New Deal," Journalism History 5 (1978), and James Boylan, "Publicity for the Great Depression: Newspaper Default and Literary Reportage," in Mass Media Between the Wars: Perceptions of Cultural Tensions, 1918-1941, eds. Catherine L. Covert and John D. Stevens (Syracuse, 1984), and Robert W. Desmond, Crisis and Conflict: World News Reporting Between Two Wars 1920-1940, (Iowa City, 1982), and Russell J. Hammargren, "The Origin of Press-Radio Conflict," Journalism Quarterly 13 (1936): 91-93, and Gweneth Jackaway, "The Press-Radio War, 1925-1937: A Fight to Protect the Professional Boundaries of Journalism," paper presented at the History Division of the Association for Education in Journalism and Mass Communication, Minneapolis, Minnesota, August, 1990, and George E. Lott, Jr., "The Press-Radio War of the 1930's," Journal of Broadcasting 14 (1970): 275-286, and Robert W. McChesney, "Toward a Reinterpretation of the American Press-Radio War of the 1930's," paper presented at the History Division of the Association for Education in Journalism and Mass Communication, Minneapolis, Minnesota, August, 1990, and Betty Houchin Winfield, "The New Deal Publicity Operation: Foundation for the Modern Presidency," Journalism Quarterly 61 (1984).

5. See Willard G. Bleyer, "Freedom of the Press and the New Deal," Journalism Quarterly 11 (1934): 20-24, provides early information on the trend toward combinations. See also Oswald Garrison Villiard, The Disappearing Daily (New York: Alfred Knopf, 1944), discusses the trend toward press concentration. See also William Weinfeld, "The Growth of Daily Chains in the United States: 1923, 1926-1935," Journalism Quarterly, 13 (1936), 357-363, discusses the trend toward newspaper chain ownership.

6. Gerald J. Baldasty and Myron K. Jordan, "E.W. Scripps and the Newspaper Business: The Market Niche Strategy of Competition," paper presented to the Management and Economics Division, Association for Education in Journalism and Mass Communication, Minneapolis, Minnesota, August, 1990, and Gerald J. Baldasty, "Marketing the News: E.W. Scripps and the Seattle Star," paper presented to the West Coast AEJMC Journalism Historians Conference, Berkeley, California, March, 1990, and Gerald J. Baldasty, "The Scripps Concern and Advertising: Strategies for Preserving Press Independence," paper presented to the AEJMC Western Journalism Historians Conference, Berkeley, California, February 28, 1992, and Tim A. Pilgrim, "How Newspapers Came to Carry the Shining Shield of Natural Monopoly," paper presented to the History Division, Association for Education in Journalism and Mass Communication, Minneapolis, Minnesota, August, 1990, and Carol Smith, "Explaining Concentration of Ownership in the Newspaper Industry: Crossroads for Journalism History and Media Economics," paper presented to the History Division, Association for Education in Journalism and Mass Communication, Boston, Massachusetts, August, 1991.

7. The following is a list of Scripps papers that were sold or died off prior to the Great Depression. The first year represents the start-up or acquisition date of the paper. The second year represents the date the paper was sold or killed. Sources of this information is found in various papers in the E.W. Scripps Collection, Archives, Alden Library, Ohio University, Athens, Ohio. See also the Scripps Howard Handbook.

Newspaper	Dates
Buffalo Evening Telegram	1879-1879
St. Louis Chronicle	1880-1908
Los Angeles Record	1895-1933
Kansas City World	1896-1908
San Francisco Report	1899-1900
Chicago Press	1900-1900
Des Moines News	1902-1924

Sacramento Star	1904-1925
Fresno Tribune	1905-1912
Denver Evening News	1926-1928
Pueblo Sun	1906-1910
Terre Haute Post	1906-1929
Nashville Times	1906-1907
Berkeley Independent	1907-1913
Oakland Mail	1909-1910
Chicago Day Book	1911-1917
Philadelphia News-Post	1912-1914
Norfolk Post	1921-1924

8. The following is a 1933 listing of circulation of Scripps Howard newspapers and competing papers. The papers are listed by cities in descending order of circulation. The source is the ABC Audit service annual circulation report reprinted in Editor & Publisher 1933 Annual Yearbook, January 28, 1933. The Albuquerque JOA was formed the following month. The abbreviation (M) is Morning paper, (E) is for evening. The Scripps Howard papers will be designated by an *.

City and Papers	Circulation
Albuquerque, New Mexico	
Albuquerque Journal (combine M & E)	24,990
Albuquerque Tribune*	14,801
Akron, Ohio	
Akron Beacon-Journal	65,631
Akron Times-Press*	38,152
Baltimore, Maryland	
Baltimore News	154,508
Baltimore Sun (M)	144,709
Baltimore Sun (E)	140,831
Baltimore Post*	77,089
Birmingham, Alabama	
Birmingham News	75,698
Birmingham Post*	58,415
Buffalo, New York	
Buffalo News	182,133
Buffalo Courier Express	124,035
Buffalo Times*	83,675
Cincinnati, Ohio	
Cincinnati Post*	166,265
Cincinnati Times-Star	157,307
Cincinnati Enquirer	90,938
Cleveland, Ohio	
Cleveland Plain Dealer	196,903
Cleveland Press*	192,745

Cleveland News	132,358
Columbus, Ohio	
Columbus Dispatch	128,750
Columbus Citizen*	87,374
Ohio State Journal	52,443
Denver, Colorado	
Denver Post	147,466
Rocky Mountain News*	35,725
El Paso, Texas	
El Paso Herald Post*	25,910
El Paso Times	16,958
Evansville, Indiana	
Evansville Courier	29,858
Evansville Press*	21,834
Ft. Worth, Texas	
Ft. Worth Star-Telegram (M)	83,030
Ft. Worth Star-Telegram (E)	52,696
Ft. Worth Press*	41,654
Houston, Texas	
Houston Chronicle	74,505
Houston Post	63,107
Houston Press*	46,652
Indianapolis, Indiana	
Indianapolis News	133,885
Indianapolis Star	108,628
Indianapolis Times*	68,570
Knoxville, Tennessee	
Knoxville Journal	35,010
Knoxville News-Sentinel*	32,449
Memphis, Tennessee	
Memphis Commercial-Appeal (M & E)	194,698
Memphis Press-Scimitar*	105,397
New York City, New York	
New York News	1,410,901
New York Journal	632,374
New York Mirror	568,635
New York Times	450,966
New York World-Telegram*	403,123
Oklahoma City, Oklahoma	
The Daily Oklahoman	93,385
Oklahoma Times	86,209

Oklahoma News*	47,541
Pittsburgh, Pennsylvania	
Pittsburgh Post-Dispatch	197,805
Pittsburgh Press*	155,809
Pittsburgh Sun-Telegraph	142,585
San Diego, California	
San Diego Union	28,394
San Diego Tribune	28,174
San Diego Sun*	18,078
San Francisco, California	
San Francisco Examiner	179,348
San Francisco Call-Bulletin	124,615
San Francisco Chronicle	99,111
San Francisco News*	86,088
Toledo, Ohio	
Toledo Blade	125,138
Toledo News-Bee*	69,869
Washington D.C.	
Washington Star	115,389
Washington Times	108,810
Washington Herald	85,920
Washington News*	65,644
Washington Post	63,894
Youngstown, Ohio	
Youngstown Vindicator	30,280
Youngstown Telegram*	26,787

9. See letter from Roy W. Howard to Robert P. Scripps, September 1, 1922, series 3.1, box 56, folder 1, E.W. Scripps Papers, and letter from Roy Howard to Robert P. Scripps, August 23, 1923, series 3.1, box 56, folder 2, E.W. Scripps Papers, Archive Collection, Alden Library, Ohio University, Athens, Ohio.

10. See list of papers in Oliver Knight, I Protest (Madison, Wisconsin: University of Wisconsin Press, 1966), Appendix A. See also previous tables listed.

11. E.W. Scripps writings, series 4, box 9, E.W. Scripps Papers, Archive Collection, Alden Library, Ohio University, Athens, Ohio.

12. Letter from Milton McRae to E.W. Scripps and George H. Scripps, December. 27, 1895, subseries 1.1, box 9, folder 2, E.W. Scripps Papers, Archive Collection, Alden Library, Ohio University, Athens, Ohio.

13. Letter from Milton McRae to E.H. Perdue (General Manager of the Cleveland Leader), Aug. 13, 1895. Scripps Collection, subseries 3.1, box 2, folder 3.

14. Newspaper clippings from the Post-Dispatch, Star-Sayings, and Chronicle, undated, subseries 3.2, box 3, folder 6, E.W. Scripps Papers, Archive Collection, Alden Library, Ohio University, Athens, Ohio.

15. Report of conversation with Colonel Jones. Unknown author. May 15, 1896, subseries 3.1, box 2, folder 4, E.W. Scripps Papers, Archive Collections, Alden Library, Ohio University, Athens, Ohio.

16. See letter from George Shives to Lemuel V. Atwood, May 4, 1896, subseries 3.1, box 2, folder 4, E.W. Scripps Papers, and letter from George Shives to Milton McRae, Jan 21, 1897, subseries 3.1, box 2, folder 9, E.W. Scripps Papers, Archive Collection, Alden Library, Ohio University, Athens, Ohio.

17. Sean Dennis Cashman, America in the Gilded Age (New York: Macamillan Book, 1990): 30-45.

18. Letter from Roy W. Howard to G.B. Parker and William W. Hawkins, February 2, 1926, series 3.1, box 56, file 6, E.W. Scripps Papers, Archive Collection, Ohio University, Athens, Ohio.

19. Letter from W.G. Chandler to Scripps Howard Newspaper Managers, February 1, 1933, Box 78, New York file, Roy W. Howard Papers, Manuscripts Division, Library of Congress.

20. See "Oklahoma News Suspended in Oklahoma City," Editor & Publisher, March 4, 1939, and previous graph of closures listed in this paper.

21. Interview with Alf Pratte, March 2, 1992. Alf Pratte is the author of an upcoming book on Lee Hills. Lee Hills was editor of the Oklahoma City News when the newspaper closed in 1939. In previous interviews with Alf Pratte, Lee Hills was unaware of any negotiations to form JOA's.

22. See letter from Roy W. Howard to Robert P. Scripps, September 1, 1922, series 3.1, box 56, folder 1, E.W. Scripps Papers, Archive Collection, Alden Library, Ohio University, Athens, Ohio, and previous negotiations of joint operating agreements in Albuquerque, San Diego, and El Paso.

23. "Monthly Ad Linage Report," Editor & Publisher, November 26, 1932. This report represented the last one available on ad linage prior to negotiations on the Albuquerque JOA.

24. Edwin Emery, The Press in America, An Interpretative History of the Mass Media, (Englewood Cliffs, New Jersey: Prentice Hall, Inc., 1972): 594.

25. Scripps Howard Handbook, pp. 321-325.

26. See Carl C. Magee Papers, Special Collections Division, University of New Mexico Library, Albuquerque, New Mexico, as referenced in Susan Ann Roberts, "The Political Trials of Carl C. Magee," New Mexico Historical Review, 4 (1975): 291-310. See also Proceedings of the American Society of Newspaper Editors, Problems of Journalism (Reston, Virginia: Published by ASNE, 1927): 133-147, for details on the legal battles of Carl Magee with New Mexico political figures. See also Vance Trimble, "Scripps Howard Newspapers," in the Scripps Howard Handbook, (Cincinnati, Ohio 1981): 218, 384, and Oliver Knight, "Appendix B," I Protest, Selected disquisitions of E.W. Scripps, (Madison Wisconsin: University of Wisconsin Press 1966), for information on the acquisition of the Albuquerque Tribune by Scripps Howard Newspapers.

27. See Burl Noggle, Teapot Dome: Oil and Politics in the 1920's (Louisiana State University Press, 1962): 64-69, and M.R. Werner, Privileged Characters (New York: Robert M. McBride & Company, 1935):104-107, and M.R. Werner and John Starr, Teapot Dome (New York: The Viking Press, 1959): 66. These books detail the events surrounding the Teapot Dome scandal and New Mexico Senator Albert Fall's role. There is some detail of the New Mexico Tribune investigation and Carl Magee's revelation of the scandal.

28. Noggle, pp. 64-65.

29. See Roberts, p. 293, for the origin of the New Mexico Tribune. See also New York Times, November 5, 1923, 19, for analysis of the Teapot Dome scandal.

30. Roberts, pp. 291-311.

31. Proceedings of the American Society of Newspaper Editors, Problems of Journalism (Reston, Virginia: Published by ASNE, 1927): 133-147. Speaking before the American Society of Newspaper Editors, Carl Magee gives a detailed account of the injustices he experienced in New Mexico. Magee mentions that all charges would be dropped if he would stop publishing a newspaper and left the state. See also Carl C. Magee Papers, Special Collections Division, University of New Mexico Library, Albuquerque, New Mexico, as referenced in Roberts, p. 310. The contempt of court citations resulted from Magee's continual editorial attacks on leaders in the Fourth Judicial District. One contempt proceeding specifically concerned an article about Judge Leahy and his court. It charged that Magee published the article "for the purpose of embarrassing the court and the judge thereof in the administration of justice and for the further purpose of creating public sentiment in favor of said defendant, Carl C. Magee."

32. Letter from Robert Scripps to Roy Howard, September, 1923, subseries 3.1, box 56, folder 2, E.W. Scripps Papers, Archive Collections, Alden Library, Ohio University, Athens Ohio. The letter gives mention to the purchase of the New Mexico Tribune. See also the Scripps Howard Handbook, ed. Vance Trimble (Cincinnati: The E.W. Scripps Company, 1981): 218, this account provides more information on the purchase of the Tribune.

33. Roberts, p. 306. Magee related all the trials where he was innocent he was found guilty. This one time he was guilty of shooting a bystander and he was acquitted.

34. Letter from John Sorrells to Roy Howard, not dated, file 1936, Roy W. Howard Archive, Ernie Pyle Hall, Indiana University, Bloomington Indiana, Carl Magee wrote for Scripps Howard papers in Oklahoma. Sorrells complained to Howard that Magee's continual editorial tirades would break down the Oklahoma market the way it destroyed Albuquerque. See also letter from Roy Howard to Bob Scripps, November 1, 1922, subseries 3.1, box 56, folder 1, E.W. Scripps Papers, Archive Collection, Alden Library, Ohio University, Athens, Ohio. Howard attributes the decline of Scripps Howard newspapers primarily to the bureaucratic administration of the company.

35. This graph shows the circulation of Albuquerque Tribune after the purchase of the paper by Scripps Howard. It compares the Tribune to the competing Albuquerque Journal. Information was attempted to be collected in even intervals of years. This was not always possible because of availability of collections. The year 1933 marks the date just prior to formation of the joint operating agreement. The source is the Audit Bureau of Circulation annual circulation report reprinted in Editor & Publisher Annual Yearbook, 1926, 1929, 1933, and 1936.

Newspaper	1926	1929	1933	1936
Albuquerque Tribune	10,409	14,753	14,990	13,857
Albuquerque Journal	4,900	20,694*	24,801*	16,596
(morning)		13,422	13,757	
(evening)		7,272	11,044	

*denotes combined morning and evening circulation.

After Scripps Howard purchased the Albuquerque Tribune, the paper held a healthy advantage in circulation over the competing Journal in 1926. The upstart evening Journal increased circulation while the Tribune experienced little growth between 1929 and 1933. The joint operating agreement eliminated the evening Journal. The Journal produced only a morning paper and circulation continued to increase between 1933 and 1936. Even with the elimination of the evening Journal the evening Scripps Howard Tribune continued to lose circulation.

36. See letter from Thomas M. Pepperday to Roy W. Howard, December 22, 1932, Roy W. Howard papers, Box 72, Albuquerque File, Manuscripts Division, Library of Congress, Washington D.C., and "Rival Dailies Printing in Same Plant," Editor & Publisher, February 25, 1933.

37. Letter from Thomas M. Pepperday to Roy W. Howard, January 1, 1933, Box 75, Albuquerque File, Roy W. Howard papers, Manuscript Division, Library of Congress.

38. "Rival Dailies Printing in Same Plant," Editor & Publisher, February 25, 1933.

39. "Rival Dailies Printing in Same Plant," Editor & Publisher, February 25, 1933.

40. Letter from Roy Howard to Thomas Pepperday, Feb 22, 1933, Box 76, Albuquerque Tribune file, Roy W. Howard papers, Manuscripts Division, Library of Congress.

41. See letter from Robert P. Scripps to Roy W. Howard, February 27, 1933, Box 84, San Diego File, Roy W. Howard Papers, Manuscript Division, Library of Congress, and "Joint Publishing Plan Cuts Costs; Preserves Editorial Independence, Editor & Publisher, December 12, 1936.

42. Letter from Colonel Ira Copley to Robert Scripps, February, 1933, Box 84, Robert Scripps File, Roy W. Howard papers, Manuscript Division, Library of Congress.

43. The Copley Press (San Diego, California: The Arts and Crafts Press, 1953): 203.

44. See E.W. Scripps Writings, series 4, box 9, E.W. Scripps Papers, Archive Collection, Alden Library, Ohio University, Athens, Ohio, and The Copley Press, p. 197.

45. Vance Trimble, "The Astonishing Mr. Scripps: The Turbulent Life of America's Penny Press Lord (Ames, Iowa: Iowa State University Press, 1992): 318-319.

46. Robert P. Scripps to Roy W. Howard, Feb 27, 1933, box 84, Robert Scripps file, Roy W. Howard papers, Manuscript Division, Library of Congress.

47. See Copy of letter from James MacMullen to Colonel Ira Copley, February 11, 1933, box 84, San Diego file, Roy W. Howard papers, Manuscript Division, Library of Congress, and letter from Colonel Ira Copley to Robert P. Scripps, February 13, 1933, box 84, San Diego file, Roy W. Howard papers, Manuscript Division, Library of Congress, and The Copley Press, pp. 197-198.

48. Letter from Robert P. Scripps to Roy W. Howard, February 27, 1933, box 84, Robert Scripps file, Roy W. Howard papers, Manuscript Division, Library of Congress.

49. See letter from Roy W. Howard to Robert P. Scripps, August 24, 1923, series 3.1, box 56, folder 2, E.W. Scripps Papers, Archive Collection, Alden Library, Ohio University, Athens, Ohio, and Scripps Howard Handbook, p. 251.

50. This graph represents the amount of circulation lost by the Scripps Howard El Paso Herald-Post to the competing El Paso Times. See Audit Bureau of Circulation for 1929, 1933, and 1936. All are listed in the Editor & Publisher Annual Yearbook, 1929, 1933, and 1936.

Paper	1929	1933	1936

El Paso Herald-Post	20,445* 19,128**	25,910	23,660
El Paso Times	13,016	16,958	18,905

*Denotes the Scripps Howard owned Post.
**Denotes the El Paso Herald.

Scripps Howard purchased the Herald in 1931, and merged it with the Post to form the Herald-Post. The combined papers had a circulation of almost 40,000. The two years between 1931 and 1933 the Herald-Post would lose circulation. The ABC audit reported a loss of about 14,000 in circulation.

51. In 1930 the population of El Paso was listed at 131,387. By 1940 the population was reported at 131,067. See Metropolitan and Urban Growth in the United States: 1900-1960, Pennsylvania State University Reports Number 58, 1968.

52. "Rival Papers Print in Same Plant," Editor & Publisher, September 5, 1936, p. 9.

53. "Publishing Costs are Shared by Two Nashville Dailies," Editor & Publisher, December 11, 1937.

54. In 1930 the population of Evansville was listed at 139,615. By 1940 the population was reported at 157,806. See Metropolitan and Urban Growth in the United States: 1900-1960, Pennsylvania State University Reports Number 58, 1968.

55. See Editor & Publisher Annual Yearbook, 1933, 1936, and 1939, for circulation figures, and Scripps Howard Handbook, p. 255, for information on the formation of the joint operating agreement.

56. See Thomas Harrison Baker, Memphis Commercial Appeal, (Baton Rouge: Louisiana State University Press, 1971): 267, and the Scripps Howard Handbook, pp. 275, 387.

57. Audit Bureau of Circulation as listed in Editor & Publisher Annual Yearbook, 1926, 1933.

58. Baker, p. 294.

59. See Memphis Commercial-Appeal, January 27, 1935 as referenced in Baker, p. 299.

60. See Editor & Publisher Annual Yearbook, 1933 Audit Bureau of Circulation figures, and Ayer, Directory of Newspapers and Periodicals, 1937, p.862, and Memphis Commercial Appeal December 4, 1937, for population figures.

61. Baker, p. 302.

62. See Scripps Howard Handbook, pp. 275-283, and Baker, p. 303.

63. See Committee on the Judiciary, Newspaper Preservation Act: Hearings before the Antitrust Subcommittee on House Resolution 279 and Related Bills, 91st Cong., 1st Sess., 10, 24, 25 September and 1 October 1969, 10-85, and Scripps Howard advertisement, Editor & Publisher, back cover, February, 3, 1940.

64. See "Rival Papers Print in Same Plant," Editor & Publisher September 5, 1936, and "Joint Publishing Plan Cuts Costs; Preserves Editorial Independence," Editor & Publisher December 12, 1936, 29-30.

Student Competition

A Comparison of Local Editorial Issues in Competitive, Joint Monopoly, and Joint Operating Agreement Newspapers.

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A Comparison of Local Editorial Issues in Competitive, Joint Monopoly and Joint Operating Agreement Newspapers

Studies have increased in recent years analyzing types of newspaper management and economic systems and the impact on content.[1] The concern for content originated from the theoretical and philosophical effect content has on society's agenda. The potential decline in pluralism and increased homogeneity in content by monopolies and joint operating agreements (JOA's) suggests that society may lose social equilibrium.[2]

Monopolies have now become the modal situation in America and Canada. The disappearance of competition and emergence of monopolies are a culmination of a trend set in motion over 50 years ago and continues today.[3]

Joint operating agreements began when the Albuquerque Journal and the Albuquerque Tribune combined all but their editorial departments in 1933. Over the next 33 years, 21 joint operating agreements formed. In 1965 the Justice Department filed suit against the Tucson agreement for violation of the Sherman and Clayton Acts. The district court found the agreement in violation, a decision later upheld by the Supreme Court in 1969 in Citizen Publishing v. United States. In 1970, the Newspaper Preservation Act passed Congress allowing newspapers to engage in joint operating agreements. The law required application to the attorney general on the basis of probable financial failure. In 1986, a hearing before the Committee on the Judiciary in the United States Senate commenced to amend the Newspaper Preservation Act to encompass technological advances since 1970. These most recent hearings showed the continued debate over the existence of JOAs and their effects on competition, pricing, and audiences.

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[1] Since 1980, 13 research studies concerning newspaper management and economic structures affect on content have appeared in books and journals. Prior to 1980, 13 studies were published.

[2] A. Carlos Ruotolo, "Monopoly and Socialization," Press Concentration and Monopoly, eds. Robert G. Picard, Maxwell E. McCombs, Stephen Lacy, and James P. Winter, (Norwood, New Jersey: Ablex Publishing, 1988), 123. Ruotolo suggests "content homogeneity, especially in extreme cases in which no opposing views are available, may have a conformity effect on peoples behavior. The social psychological literature shows that homogeneous information influences peoples behavior toward conformity with the group."

[3] A review of the Editor & Publisher Annual Yearbook 1930 and 1939, shows a decline in newspapers and ownership beginning and continuing in the decade of the 1930s.

Statement of Problem

Newspapers currently operate primarily within four theoretical economic market structures: competition, monopoly, joint operating agreement, and duopoly. The characteristics of a competitive market is two or more newspapers in a market competing for customers and advertising. The characteristics of a monopoly markets are when one newspaper dominates and controls the market. A joint monopoly is similar to a monopoly except two newspapers are under the same ownership. An example of a joint monopoly would be a morning and evening paper published by the same company. A joint operating agreement market is a hybrid mix of competition and monopoly created by the passage of the Newspaper Preservation Act in 1970. The purpose of the Act was to preserve two voices in a market. Editorial divergence was desired even though some of the economic forces to which the papers were subject would be eliminated. Under a JOA an agency company handles the business enterprise of producing a paper while the newspapers maintain separate the editorial and news gathering functions.

Bruce Michael Kantrowitz suggested a link between editorials and economics. He advanced the notion that "editorial policies are often the result of collaboration between editors and managers...developed in the organizations best interests in response to aesthetic, economic, or political factors."[4] A commentary by John C. Busterna proposes "that by eliminating economic competition...also removes the incentive for editorial competition."[5] These statements suggest the shift from economic competition to a monopoly situation decreases editorial competition.

This research will attempt to address the link between economic structure and editorial competition on local issues by answering the following question: does the economic market structure affect the positions taken by the newspapers, when there are two newspapers operating in the market, on local editorial issues.

Hypothetical Framework

The foundation of any applied economic analysis of the newspaper industry lies with the basic principles of microeconomic theory. For this study the newspaper economic theories of competition, monopoly, and joint operating agreements, a hybrid form of competition and monopoly is explored.

The economic theory of competition is represented by two competing newspapers within a market. Monopoly is represented by newspapers comprising a joint monopoly. Joint monopoly is two newspapers owned by the same corporation within a given market. A combination of monopoly and competition is represented by joint operating agreement (JOA) newspapers.

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[4] Bruce Michael Kantrowitz, "Editorial Economics: Consequences of Policy Alternatives. A Reader-Based Quantitative Analysis" (Ph.D. diss., Renssaelaer Polytechnic Institute, 1984), 46-50.

[5] John C. Busterna, "Commentary: Improving Editorial and Economic Competition with a Modified Newspaper Preservation Act," Newspaper Research Journal 8 (Summer 1987): 71.

Traditionally, managers and owners of newspapers respond to the economic forces in a given market. Research by David Pearce Demers and Daniel B. Wackman showed that editors and middle-level managers of newspapers responded to profit as the primary goal of ownership.[6] This requires packaging the product to conform to the market demand or to compete with forces within the market. Kantrowitz suggests editorial policies are formed by management in response to aesthetic, economic or political factors.[7] This would suggest that management responds to the competitive factors of a market, and that the content potentially reflects this response to competition.

Competitive Newspaper Editorials

The competitive situation assumes that newspapers are subservient to the forces of the market. It is assumed in this situation that both newspapers will jockey for control of the market. Ownership and management will push to achieve greater market control, for the benefit of gaining advertising revenue. Competitive newspapers rely on audiences and advertisers for the success of the publication. When competitive newspapers vie for audience members, the content will be refined to reach either the larger audience or a particular niche not being served by a competitor. Editorials in competitive newspapers will present opposing viewpoints to maintain or lure audiences to the newspaper. Differentiating the product will lure audience to the newspaper. Areas available for differentiation include editorial orientation, appearance, and quality.[8] Luring audiences is an economic consideration since this determines the subscription and advertising revenues.

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[6] David Pearce Demers and Daniel P. Wackman, "Effects of Chain Ownership on Newspaper Management Goals," Newspaper Research Journal 9 (Winter 1988): 59-67.

[7] Kantrowitz, 46.

Joint Monopoly Newspaper Editorials

The monopoly firm encompasses the entire market for a specific product. It is generally assumed that no close substitute for the product exists. The consumer must either deal with the monopolist on its terms or abstain from consumption of that particular product.[9]
This principle applies to newspaper joint monopolies which control the market and determine how it functions and its timing. The monopolist may obtain so much control there are no external checks and balances on its behaviors. In the extreme, it could perform society's planning function according to its own self interests.[10] Since competition for audiences has limited effect due to a joint monopolistic existence, the editorial viewpoints on local matters will generally reflect similar views, because the newspapers are under the same ownership.

Joint Operating Agreement Newspapers Editorials

Joint operating agreement (JOA) newspapers have elements of both monopoly and competitive newspapers. JOA newspapers monopolize business interests - circulation, advertising sales, and printing, while maintaining different products.[11] Differentiating the product can be accomplished by style, format, news coverage, and editorial stance. Through this differentiation the audience has the ability to choose the preferred product. The Newspaper Preservation Act of 1970 created the legal existence of JOA newspapers with the provision that "separate voices" are provided.[12] Adversely, a monopoly still exists in the sense there is no other real competitor in the market other than suburban newspapers. Editorials can reflect views of ownership and management with little concern of affecting advertising revenues, since advertising is sold for both papers. Some editorials will reflect opposing views of the competitor to satisfy the requirement within the Newspaper Preservation Act, and to differentiate product; while still reflecting the interests of management views due to absent marketplace forces. The following represents hypothetical statements on competitive, joint monopoly, and joint operating agreement newspaper editorials:

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[8] Litman, 32.

[9] Litman, 6.

[10] Guido Stempel, "Effects on Performance of a Cross-Media Monopoly," Journalism Monographs 29 (June 1973). Stempel's research shows from a social perspective, content homogeneity may pose a threat to the functioning of an open society. Without pluralism of information, the political process and many other social exchanges based on information would be impaired.

> H1: Editorials in competitive newspapers will generally represent opposing viewpoints, on local issues.
>
> H2: Editorials of newspapers jointly owned in a given market will generally represent similar views on local issues.
>
> H3: Editorials in JOA newspapers will represent a fairly even split between similar and opposing viewpoints on local issues.

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[11] Stephen Lacy, "Competition Among Metropolitan Daily, Small Daily, and Weekly Newspapers," Journalism Quarterly 61 (Winter 1984): 640-644.

[12] U.S. Congress. Senate. Committee on the Judiciary. Hearing before the Committee on the Judiciary on S. 2314, A Bill to amend the Newspaper Preservation Act, 99th Cong., 2nd Sess., 10 June 1986. Opening statement by Senator Orrin G. Hatch on the Newspaper Preservation Act stated, "The act thus preserves two separate and distinct news voices in cities which could not otherwise provide more than one newspaper with a sound financial base.

Literature Review

A review of literature reveals several commentaries, narratives and studies analyzing economic effects on content. Many non-empirical studies, narratives, and commentaries resulted from the case of Citizen Publishing v. United States, and statements made in the hearings before the U.S. Congress' Committee on the Judiciary on the Newspaper Preservation Act. Some non-empirical evidence is included to cover the full scope of studies performed in the area of newspapers economic and the influence on content. Most of the studies deal with the effects of the domination by chains and the growth of joint operating agreements. Empirical evidence is presented from dissertations, and studies published in journals.

Researchers' concerns with economic influence and performance standard originated with Raymond Nixon in 1945. Nixon wrote a narrative that press consolidation would weaken local editorial control and access to individual newspapers.[13]

The first study which compared newspapers financial commitment and the effect on news content and advertising was by Stanley Bigman in 1948. The findings revealed that publishers interested in profits can be expected to have less nonrevenue-producing news space. Publisher's commitment to a quality product resulted in more news space.[14]

In the early 1950's Gerald Borstel compared the editorial pages of 20 small dailies. He found no differences between the six chain and 14 independent papers in numbers of letters to the editor, local columns, and editorials about local or state subjects.[15]

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[13] Raymond B. Nixon, "Concentration and Absenteeism in Daily Newspaper Ownership," Journalism Quarterly 22 (June 1945): 97-114.

[14] Stanley K. Bigman, "Rivals in Conformity: A Study of Two Competing Dailies," Journalism Quarterly, 25 (Spring 1948): 127-131.

In a 1955 study, Raymond Nixon and Robert Jones applied the Bigman study to a cross section of competitive and noncompetitive dailies published between 1939 and 1951. Their research found a tendency for the competitive papers to allot a larger proportional news hole than the noncompetitive dailies. However, the study revealed little difference in 17 categories of specific news content.[16]

Birthney Ardoin provided a study comparing Joint Operating Agreement newspapers and competitive newspapers in 1970. Ardoin studied whether newspapers under joint printing agreements (JOA's) preserve two distinct news and editorial voices in a community. Ardoin examined the frequency of articles appearing in all competitive and joint operating agreement newspapers, except for Oil City, Pennsylvania JOA. Ardoin concluded there were few differences in the content of the two types of newspapers.[17]

The next study in 1971 by Gerald Grotta compared 40 newspapers that had changed from independent to chain ownership between 1950 and 1968. The study examined a variety of quality-related variables. One of the variables included the percentage allocated for editorials. Grotta's findings concluded no significant differences between independent and chain newspapers content.[18]

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[15] Gerald Borstel, "Ownership, Competition and Comment in 20 Small Dailies, " Journalism Quarterly, 33 (Summer 1956): 220-222.

[16] Raymond B. Nixon and Robert L. Jones, "The Content of Non-Competitive vs. Competitive Newspapers," Journalism Quarterly 33 (Summer 1956): 299-314.

[17] Birthney Ardoin, "A Comparative Analysis of Newspapers Under Joint Printing Contracts," Journalism Quarterly 50 (Summer 1973): 340-349.

[18] Gerald Grotta, "Consolidation of Newspapers: What happens to the Consumer?" Journalism Quarterly 48 (Summer, 1971): 245-250.

In 1974 researchers Walter Baer, Henry Geller, Joseph Grundfest, and Karen B. Possner studied how media ownership influenced performance. The authors examined previous research performed in this area and they concluded that most of the research is inconclusive due to methodological problems.[19]

In 1975 Canadians Ronald Wagenberg and Ronald Soderlund compared editorials about one national election in four papers, from one chain and three independent papers. They found no pattern within the chains on national elections and no difference between the chain and independent papers.[20]

In a 1975 study Daniel Wackman, Donald Gilmor, Cecile Graziano, and Everette Dennis examined presidential endorsements by most large American dailies for four elections, 1960 through 1972. The researchers concluded the data ran counter to the insistence of the chain spokesperson that their endorsement policies are independent from chain direction.[21]

John Schweitzer and Elaine Goldman studied content during a period of head-on competition in 1975. The hypothesis posited that under conditions of intense competition, a daily newspaper would devote more of its non-advertising space to local content than under conditions of non-competition. The findings did not support the hypothesis, however, local news did not decline when competition ended.[22]

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[19] Walter S. Baer, Henry Geller, Joseph A. Grundfest, and Karen B. Possner, Concentration of Mass Media Ownership: Assessing the State of Current Knowledge (Santa Monica, CA.: Rand Corporation, 1974).

[20] Ronald Wagenburg and Walter Soderlund, "The Influence of Chain Ownership on Editorial Comment in Canada," Journalism Quarterly, 52 (Spring 1975): 93-98.

[21] Daniel B. Wackman, Donald M. Gilmor, Cecile Graziano, and Everette E. Dennis, "Chain Newspaper Autonomy As Reflected in Presidential Campaign Endorsements," Journalism Quarterly 52 (Winter, 1975): 411-420.

[22] John C. Schweitzer and Elaine Goldman, "Does Newspaper Competition Make a Difference to Readers," Journalism Quarterly 52 (Winter 1975): 706-710.

Another study in 1975 by David Weaver and L.E. Mullins looked at differences in competing papers. They examined 46 newspapers in 23 markets. The findings revealed the amount of content in each of the 20 editorial categories was almost the same. Weaver and Mullins concluded there were few content format differences.[23]

In 1977, Ralph Thrift identified major differences in the study of editorials in 24 West Coast papers. Thrift's findings revealed that chain newspaper editorials contained a small percentage of editorials that were argumentative, controversial, and local, than independent papers.[24]

Ronald Hicks and James Featherston assessed duplication of story content in three Louisiana cities having different ownership configurations in 1977. The newspapers were found to be distinct rather than over-lapping in appearance and amount of local and non-local news, and editorial page content. The differences were consistent regardless of the ownership configuration.[25]

In 1980 Gail Lund Barwis analyzed the effects of the Newspaper Preservation Act retrospectively. She concluded that be shielding newspapers from economic forces, the Act may be creating false conditions under which to maintain separate voices.[26]

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[23] David H. Weaver and L.E. Mullins, "Content and Format Characteristics of Competing Daily Newspapers," Journalism Quarterly 52 (Summer 1975): 257-264.

[24] Ralph Thrift Jr. "How Chain Ownership Affects Editorial Vigor of Newspapers," Journalism Quarterly 54 (Spring 1977): 327-331.

[25] Ronald G. Hicks and James S. Featherston, "Duplication of Newspaper Content in Contrasting Ownership Situations," Journalism Quarterly 55 (Autumn 1978): 549-553.

[26] Gail Lund Barwis, "The Newspaper Preservation Act: A Retrospective Analysis," Newspaper Research Journal 1 (Summer 1980): 27-38.

Mark Goodman, in 1982 studied editorials in weekly newspapers. He found that Illinois chain weeklies published more editorials about local and state subjects, and published many more column inches of editorials. Goodman noted that chain papers within a region frequently shared editorials. This practice contributed to the statistically superior performance of the chain papers in the study.[27]

In 1982, Benjamin Compaine, Christopher H. Sterling, Thomas Guback and J. Kendrick Noble, Jr. reviewed a summary of studies on the impact of service to readers by newspaper type. They concluded there is little empirical evidence that either chain-owned newspapers or newspapers in single-firm cities as a group provide poorer service to readers than independent or competing newspapers.[28]

In 1983 David Daugherty compared front pages and editorial pages of 36 chain and 32 independent dailies. He analyzed eight issues of each paper. Editorial pages were analyzed for local, state, national, and international editorials. Daugherty's findings revealed editorial pages to be more similar than different.[29]

In a 1984 study, Dores Candussi and James Winter studied pre- and post-monopoly newspapers in Canada. On the same day in 1980 Southam News Ltd. and Thomson Newspapers closed competing papers in Winnipeg and Ottawa, leaving each chain with one monopoly city. The study examined news and advertising changes in the papers. They found that statistically local news decreased compared to state and national news. However, local news stories and space allocation for local news increased significantly.[30]

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[27] Mark Lee Goodman, "Newspaper Ownership and the Weekly Editorial in Illinois," (M.A. Thesis, South Dakota State University, 1982) 110.

[28] Benjamin M. Compaine, Christopher H. Sterling, Thomas Guback, J. Kendrick Noble Jr., Who Owns the Media? Concentration of Ownership in the Mass Communications Industry (White Plains, NY: Knowledge Industry, 1982), 65.

[29] David Bruce Daugherty, "Group-Owned Newspapers vs. Independently-Owned Newspapers: An Analysis of Differences and Similarities," (Ph.D. Diss., University of Texas, 1983).

In a 1984 study, Loren Ghiglione examines 10 in-depth cases of newspapers purchased by chains. Ghiglione draws no conclusions on the impact of chain ownership. However, a commentary is provided for categorizing the 10 newspapers by advertising, income, and content; three improved under chain ownership, three remained the same, and four deteriorated.[31]

In 1985, George Donohue, Clarice Olien, and Philip Tichenor published results of a 14 year study measuring conflict news. They examined 83 newspapers published in Minnesota County seats. During the 14 years, locally owned papers increased their coverage of conflict by one third, and out-of-state papers decreased their coverage of conflict by one-half. The authors concluded that the findings strongly suggest that the form of ownership has had an impact on local reporting of government issues.[32]

In a 1986 study, Stephen Lacy examined editorial space allocation in competitive, monopoly and JOA newspapers. Results showed the only difference in editorial space allocation was that JOA newspapers gave a higher percentage of total editorial and op-ed space than competitive newspapers. Lacy also identified the need for more research in the area of measuring separate voices in joint operating agreement markets.[33]

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[30] Dores A. Candussi and James P. Winter, "Monopoly and Content in Winnipeg," in Press Concentration and Monopoly, eds. Robert G. Picard, Maxwell E. McCombs, James P. Winter, and Stephen Lacy, (Norwood, New Jersey: Ablex Publishing, 1988) 139-146.

[31] Loren Ghiglione, The Buying and Selling of America's Newspapers (Indianapolis, IN: R.J. Berg, 1984).

[32] George A. Donohue, Clarice N. Olien, and Phillip J. Tichenor, "Reporting Conflict by Pluralism, Newspaper Type and Ownership," Journalism Quarterly, 62 (Winter 1985): 488-499, 507.

A 1987 commentary by John C. Busterna examined previous studies and additional non-empirical data related to economics and editorial completion. The commentary showed that by eliminating economic competition, the incentive for editorial competition is also removed.[34]

In a 1987 retrospective analysis Alf Pratte studied the ethics of owners, JOA's and editorial independence. His conclusions and recommendations suggest a more precise definition of what constitutes editorial independence should be included in the Newspaper Preservation Act to guide JOA's.[35]

In 1987 Pamela Shoemaker proposed a theory of influences on news content. The theory posited a correlation between the funding of a media vehicle and the influence of content. The theory holds that the mass media attempt to portray social reality in an accurate and representative manner. It further posits that news content sometimes deviates from the view of social reality. The deviation may be explained and predicted by an economics based model with the issue-specific ideology of those who finance the mass media to influence content.[36]

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[33] See Stephen Lacy, "Competition Among Metropolitan Daily, Small Daily, and Weekly Newspapers," Journalism Quarterly 61 (Winter 1984): 640-644, and Stephen R. Lacy, "The Effects of Ownership and Competition on Daily Newspaper Content" (Ph.D. diss., The University of Texas at Austin, 1986), and Stephen Lacy, "The Effects of Intracity Competition on Daily Newspaper Content," Journalism Quarterly 64 (Summer-Autumn 1987):281-290.

[34] John C. Busterna, "Commentary: Improving Editorial and Economic Competition with a Modified Newspaper Preservation Act," Newspaper Research Journal 8 (Summer 1987): 71-81.

[35] Alf Pratte, "Terms of Endearment: Owner Ethics, JOA's, and Editorial Independence," Journal of Mass Media Ethics 2 (Fall/Winter 1986-87): 30-40.

[36] Pamela J. Shoemaker, "Building A Theory of News Content: A Synthesis of Current Approaches," Journalism Monographs 103 (June 1987): 2-36.

Dennis Hale in a study published in 1988 examined editorial pages of the newspapers when the papers were independently owned and after they had been purchased by a chain. The results showed a continued variety and vigor on the editorial page, and the quantity of editorials about local and regional issues about equaled the editorials of national and international issues.[37]

In a 1989 study Stephen Lacy looked at the impact of competition on content in newspapers. Lacy suggests that competition more fully meets the needs and wants of readers more than readers within a monopoly market.[38]

Stephen Lacy published the results of a study in 1990, on content in joint operating agreement papers. Four sets of competing JOA papers were analyzed for space allocation in the editorial pages. Lacy found differences in space allocated, coverage, and quantity of articles.[39]

In another 1990 study by Stephen Lacy and Frederick Fico, newspaper chains were ranked according to quality and ownership. The authors suggest in the introduction that studies on the effect of group ownership on newspaper content have been inconclusive.[40]

In a study published in 1991, Roya Akhavan-Majid, Anita Rife, and Sheila Gopinath examined editorial independence and chain ownership. Using the Gannett Newspapers as a basis for analysis the authors found that there was an homogenizing effect on editorial positions within chains.[41]

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[37] Dennis Hale, "Editorial Diversity and Concentration," Press Concentration and Monopoly, eds. Robert G. Picard, Maxwell E. McCombs, Stephen Lacy, and James P. Winter, (Norwood, New Jersey: Ablex Publishing, 1988), 161-175.

[38] Stephen Lacy, "A Model of Demand for News: Impact of Competition on Newspaper Content," Journalism Quarterly 66 (Spring 1989): pp. 40-48.

[39] Stephen Lacy, "Impact of Repealing the Newspaper Preservation Act," Newspaper Research Journal 11 (Winter 1990): 2-11.

[40] Stephen Lacy and Frederick Fico, "Newspaper Quality & Ownership: Rating the Groups," Newspaper Research Journal 11 (Spring 1990): 42-56.

The literature reviews and studies newspaper content from two perspectives; first, the substance of content. This method analyzes the controversy, conflict, information and pluralistic nature of what is written. Secondly, content's physical characteristics. This method covers amount of news, space allocation, and number of articles.

Content is analyzed through two types of consolidation. First, ownership consolidation which concentrates the number of firms owning newspapers. The second, market consolidation, eliminates competition through attrition, monopoly, or through joint operating agreements.

The literature suggests ownership concentration affects the substance of content adversely. The studies showed ownership concentration weakened editorial control (Nixon, 1945), resulted in less argumentative and controversial editorials (Thrift, 1977), reduced conflict in news (Donahue, Olien, and Tichenor, 1985).

The research on market consolidation generated mixed results. One study concluded market concentration resulted in less news (Nixon and Jones, 1956). Another found that the elimination of economic competition removed editorial competition (Busterna, 1987). One study ran counter to these conclusions that local news did not decline through market concentration (Schweitzer and Goldman, 1975).

The studies of physical structure analyzed space allocation and number of articles. Physical characteristics of content resulted in similar findings on ownership concentration. Three studies compared chain newspapers to independently owned newspapers and found no difference in local columns, news, and editorials (Borstel, 1955) (Daugherty, 1983) (Hale, 1988).

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[41] Roya Akhavan-Majid, Anita Rife, and Sheila Gopinath, "Chain Ownership and Editorial Independence," Journalism Quarterly 68 (Spring/Summer 1991): 59-66.

The research on content's physical characteristics generated mixed results in market concentration. One study found no difference between content in competitive and JOA newspapers (Ardoin, 1970). Another study concluded one difference in editorial space allocation (Lacy, 1986).

The studies on the contents structure and physical characteristics on ownership concentration met with similar conclusions. The studies on market concentration generated mixed results in content structure and physical characteristics. This is due in part to vast differences in methodology and measurement devices.

Methodology

The focus of the study is to examine if the viewpoints on local editorials were similar or opposing between the two papers. To conduct this study a pair of newspapers were selected from the different market economic structures. Newspapers were selected to represent competitive, joint monopoly, and joint operating agreement markets. The Arkansas Democrat and Arkansas Gazette, published in Little Rock were chosen to represent the competitive market. The selection was made and the tests completed before the merger of the Arkansas papers. The Arizona Republic and Phoenix Gazette were selected to represent the joint monopoly. The Tulsa Tribune and the Tulsa World were selected to represent a joint operating agreement market. The markets were selected arbitrarily. These papers were chosen because of similarities in circulation size.

Comparisons were made of local editorials in pairs of newspapers selected. To accomplish this research, 20 weeks of newspapers were selected using a random table of numbers. The weeks selected were between January, 1987 and December, 1988 using a perpetual calendar to target weeks. The number of newspapers were chosen arbitrarily to give a large enough sample to determine disparity on the stance taken on local issues by editorials. Local issues were defined as matters of affairs affecting the standard metropolitan statistical area.

Microfilm of the different weeks of newspapers were obtained through Inter-library Loan Services. To compare the newspapers, one paper's editorial page was examined for one week. All local issues for that week were recorded on a day by day basis with the papers stance on the issue. The competing newspaper was then reviewed for the same week. The first editorial that correlated with an editorial in the other paper would be the match used for comparison. The viewpoint of the local issue was compared to determine if the views were similar or in opposition between the two papers editorials. If the stance in the editorial was unclear, then the particular comparison was discarded and the next comparison was used. On similar and opposing editorials the view was recorded and the method was then repeated for each newspaper group in every market selected until the sample reached 20 issues. The results were tallied and Chi square analysis used to test the significance between groups.

Results

Crosstabulations were performed on the three market types using a Chi-square test (see Figure 1). The results revealed a significant difference between competitive newspapers and joint monopoly papers (p=.00003). The results also revealed a significant difference between competitive and joint operating agreement papers (p=.0005). The results show a difference between competitive newspapers and the other two market types tested in this study.

Figure 1

Newspaper Market Type	Issues		Row Total
	Similar	Opposing	
Competitive	5	15	20
Joint Monopoly	18	2	20
Joint Operating Agreement	16	4	20
Column Total	39	21	60

Crosstab	Chi-Square	D.F.	Significance
Competitive-Monopoly	17.289	2	.00003
Competitive-JOA	12.130	2	.0005
Monopoly-JOA	.784	2	.3758

Value 21.538 Overall Significance .00002

The tests are based on the three hypothetical propositions that the competitive economic structures effect local editorial issues. According to the three market types of competition posited, the markets should be statistically different in results.

The first hypothetical proposition that editorials in competitive newspapers will generally represent opposing viewpoints on local issues was supported. The competitive papers were similar on five local issues and opposing on 15 local issues. The papers generally represented opposing viewpoints on local editorial issues.

The second hypothetical proposition that editorials in joint monopoly newspapers will generally represent similar views on local issues was supported. The joint monopoly newspapers were similar on 18 local issues and opposing in viewpoints on two local issues. The joint monopoly papers generally represent similar views on local issues.

The third theoretical proposition that editorials in JOA newspapers represent a fairly even split between similar and opposing viewpoints on local issues was unsupported. The JOA newspapers were similar on 16 local issues and opposing on viewpoints on four local issues. JOA newspapers do not represent a fairly even split between similar and opposing viewpoints on local issues.

The results of the statistical analysis shows the competitive market to be statistically different from the joint monopoly and JOA market. The results showed the joint monopoly and JOA market to be similar in results.

Conclusions

This study examined three economic market types with three hypotheses as a guide for the study. The hypotheses were:

> Editorials in competitive newspapers will generally represent opposing viewpoints, on local issues.
>
> Editorials of newspapers jointly owned in a given market will generally represent similar views on local issues.
>
> Editorials in JOA newspapers will represent a fairly even split between similar and opposing viewpoints on local issues.

The evidence from the study supports the first two hypotheses. The results of the third hypothesis found joint operating agreement papers similar to joint monopoly papers.

The evidence supports the notion that JOA's are like joint monopolies with reference to the similarity in "voice" on local editorial issues. The evidence also supports the findings of Barwis (1980) that suggests the Act may be creating false conditions under which to maintain separate voices.

This finding ran counter to the hypothesis suggesting editorials in JOA papers would represent a fairly even split on local issues. One plausible explanation may be the business or economic considerations maintain a stronger control than the editorial functions. This hypothesis supports the conclusions of Busterna (1987) that by eliminating economic competition the incentive for editorial competition is also removed.

An area which was not tested but became evident was in the area of issues covered. Competitive newspapers appeared to address the same local editorial issues more frequently than the joint monopoly or JOA newspapers when analyzed. On the average only one local editorial issue a week was covered by both JOA newspapers. Joint monopoly newspapers covered the same issue about once every two weeks. This was only an observation and was not quantified.

A clearer definition needs to exist as to what constitutes separate voices. This recommendation coincides with Pratte (1987) who suggests a more precise definition of what constitutes separate voices needs to be included in the Newspaper Preservation Act. If the purpose is to provide pluralism in a market on local issues then JOA's provide as much pluralism as the monopoly newspapers. JOA's appear to create products with little diversity of voice.

This study supports the need to clarify the definition of what constitutes separate voices to determine if they are to be separate in a philosophical or physical sense. If the intent is philosophical the requirements are not being satisfied at least by the results of this test. If it is found to be philosophical, then the requirements imposed by the Newspaper Preservation Act make JOA's unlawful according to the results of this study.

Recommendations for Further Research

One area to study could include a methodology similar to this research. Exploration on the effects of local editorial issues as newspapers move from a competitive market situation to a JOA market should be examined. This would be before and after study. The purpose of the study would help to determine the extent to which editorial pluralism has shifted in a market.

Another area for examination is the analysis of how many local issues are similar between two papers in a market. The results could determine if there is diversity of voice in editorial coverage by the number of similar issues.

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The Law of Libel and Public Speech in Alabama, Arkansas, Georgia, Mississippi and South Carolina

by

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in
Alabama, Arkansas, Georgia, Mississippi and South Carolina

This study identified and explicated the dynamics of the relationship between public speech and defamation law in five Deep South states: Alabama, Arkansas, Georgia, Mississippi and South Carolina.

Review of the Literature

Prosecutions for seditious libel in the United States did not cease with the expiration of the Alien and Sedition Acts in 1801.[1] While public outrage may have inhibited the promulgation of similar overtly suppressive laws,[2] governmental bodies at federal and state levels nonetheless found various legal means to quash public commentary on their actions and policies.[3] Some recent scholarship, based largely on the analyses of federal court cases, and the press itself suggest that the 26-year-old constitutional law of defamation is one such means.[4] A small number of studies that have examined libel law at the state level further argue that the common law of defamation had been put to the same purpose in the South of the 1950s and 1960s.[5]

Until recently,[6] the development of the common law of defamation had been largely unimpeded by the First Amendment's prohibition against infringement of freedom of speech and of press. While the United States Supreme Court had intimated in 1925[7] that those freedoms are "among the fundamental personal rights and liberties protected by the due process clause of the Fourteenth Amendment from impairment in the states,"[8] it subsequently and repeatedly noted in dicta that the Constitution did not protect libelous statements.[9]

Still, no one--not even the government's critics--could be denied the right to publish defamation. Writing for the Court in Near v. Minnesota, a 1931 censorship cases, Chief Justice Hughes noted, "The fact that for approximately one hundred and fifty years there has been almost an entire absence of attempts to impose previous restraints upon publications relating to the malfeasance of public officers is significant of the deep-seated conviction that such restraints would violate constitutional right."[10] But, as Justice Stewart once observed, "[T]he right of a man to the protection of his own reputation from unjustified invasion and wrongful hurt reflects no more than our basic concept of the essential dignity and worth of every human being--a concept at the root of any decent system of ordered liberty."[11] Abuses of First Amendment liberties could be--indeed, must be--punished.[12]

And the perceived licentiousness of the press was punished, at times with a vigor that repeatedly lay bare the fiction that seditious libel was a far-removed chapter in American history. The Crown had discovered early that one of the most enduring and adaptable means of dealing with these criticisms was the law of defamation,[13] a lesson apparently well learned by colonial American government officials and not forgotten by their successors.

During the Civil Rights Movement of the 1950s and 1960s, for example, Southern officials faced with the loss of their way of life turned to the common law of defamation to suppress outside criticism and pressure for unwanted change.[14]

New York Times v. Sullivan

Anthony Lewis characterized the decade prior to the Supreme Court's 1964 decision in New York Times v. Sullivan[15] as nothing short of revolutionary.[16] While he identified the Court's school segregation decision of May 17, 1954, as the catalyst for this revolution in American race relations, Lewis also noted that it was a revolution built on history: "industrialization and urbanization of the South, [which had brought] with them social anonymity and security; the weakening of regional differences in this country through the impact of television and other mass media of communication; compulsory service in unsegregated armed services; [and] a slow growth in legal and political protection for the Negro."[17]

In 1953, Hodding Carter, editor of the Delta-Democrat-Times in Greenville, Mississippi, had posited in the New York Times magazine that the "[a]bolition of the segregated school represents for them [white Southerners] too sudden and complete a break with the past and even the present."[18] He was right; when the Court's decision was handed down, Lewis noted, "[t]here was bitterness, and racism flowered in ugly new forms such as the Citizens Councils. Politicians swore defiance of the Constitution and passed threadbare statutes in futile efforts to preserve the past. Southern police and even judges misused their power and manipulated the law to repress the Negro."[19]

Running through his narrative of the decade's events is the theme that the white South regarded the news media as adversaries, somehow responsible for this new threat to their way of life. Lewis frequently recounted instances of newsmen, particularly "Yankee newspapermen," being threatened, sometimes with lynching--often in the same breath as with "niggers."[20] For example, several Northern newspapermen were beaten up in McComb, Mississippi, along with the 62-year-old editor of the local Enterprise-Journal who had been accused of "being responsible 'for those out-of-town newspapermen being here.'"[21] He even reports that the Arkansas Gazette newsboys had been threatened with harm if they continued to deliver the liberal newspaper.[22]

"Yet these years of purgatory, however painful and destructive," Lewis further noted, "began to teach the South what it had to know about itself and the United States. The South learned that the Supreme Court's interpretation of the Constitution, when it had the support of the rest of the country, could not be resisted indefinitely."[23]

One of those lessons began on March 29, 1960, when the New York Times published a full-page advertisement later described by the Supreme Court as an "expression of grievance and protest on one of the major public issues of our time."[24] Headlined "Heed Their Rising Voices," the advertisement states that the southern blacks' nonviolent civil rights movement was being met with a "wave of terror by those who would negate the Constitution and the Bill of Rights;" as evidence, the ad related events surrounding a violent student protest on the Alabama State College campus in Montgomery. It asked for contributions in support of continued student protests, black voting rights and Dr. Martin Luther King's legal defense against a perjury indictment, and was signed by the "Committee to Defend Martin Luther King and the struggle for Freedom in the South."[25]

L.B. Sullivan, the Montgomery commissioner in charge of the police and fire departments, filed a civil libel action against the Times and four black Alabama clergymen who were purported to have signed the editorial advertisement. Although he was not normally in charge of day-to-day police operations, including the episode at the Alabama State College, and was never mentioned by name, Sullivan claimed that the advertisement falsely accused him of, among other things, ringing the campus with police and padlocking the dining hall. Unfortunately for the Times, while the gist of the advertisement was true, several of the statements in question--including those cited above--were false.[26] An all-white Alabama jury awarded Sullivan the full amount of damages requested--$500,000; the state's Supreme Court sustained the judgment, which was the largest libel judgment in Alabama history.[27]

And the Times had other libel suits pending in Alabama. Also as a result of the ad, three other Montgomery County officials had filed law suits against the Times, each asking for $500,000 in damages; Alabama's governor, John Patterson, sued for $1 million. A Times article on Birmingham's simmering racial turmoil, written by Harrison Salisbury and published two weeks after the ad had appeared, additionally led to seven suits filed in the federal district court for the Northern District of Alabama.[28]

In short, Kalven said, "[t]he inescapable impression is that, although the Alabama law had not been distorted to achieve the result, Alabama somehow pounced on this opportunity to punish the Times for its role in supporting the civil rights movement."[29] The retrospective examination of Ottley et al. suggested that there was no "somehow" to it. Citing several local newspaper articles, they said that the suits were an acknowledged attempt to silence the media.[30] The Montgomery Advertiser editorial of May 22, 1960, opined that it had "no doubt that the recent check mating of the Times in Alabama will impose a restraint upon other publications which have hitherto printed about the South what was supposed to be."[31] Four months later, the same paper reported that "[s]tate and [C]ity authorities have found a formidable legal bludgeon to swing at out-of-state newspapers whose reporters cover racial incidents in Alabama."[32] The New York Times' Salisbury, who covered the developments in the South from Birmingham, Alabama, noted that the series of suits filed against him and his employer

> set the pattern for a new Southern strategy, designed to chill, control, and, if possible, suppress reportage of the civil rights movement. Before the Supreme Court brought this game to an end . . . nearly $300 million in libel actions were outstanding against the media. Coverage had been chilled. I could not return to Alabama for four years. Few New York Times reporters went into the state, and news gathering was inhibited all over the South.33

And Lewis, while noting that many similar cases had been brought against other newspapers, wire services and television networks, reached the conclusion that none of these cases had been brought in any hope of recovering damages--they were intended "to discourage aggressive race-relations reporting by harassment."[34]

The Times had reached the same conclusion. In its petition for writ of certiorari to the Supreme Court of Alabama, the paper characterized the Alabama common law of defamation as even more pernicious than seditious libel: "There are, indeed, respects in which the private action brought by the aggrieved official may be more repressive than a prosecution for seditious libel."[35] The paper urged the Court to reconcile the common law with the Constitution and find a means of protecting official reputation--if the Constitution so required--that is "less destructive of the freedom of expression."[36]

These arguments apparently were compelling. The Supreme Court of the United States rebuked the Alabama state courts and constitutionalized the law of libel. "Erroneous statement is inevitable in free debate," wrote Justice Brennan for the Court, "and . . . it must be protected if the freedoms of expression are to have the 'breathing space' that they 'need to survive.'"[37] He noted that the court of history had found the Alien and Sedition Acts of 1798[38] inconsistent with the First Amendment guarantees.[39] Therefore,

> "[w]hat a State may not constitutionally bring about by means of a criminal statute is likewise beyond the reach of its civil law of libel. The fear of damage awards under a rule such as that invoked by the [state] courts here may be markedly more inhibiting than the fear of prosecution under a criminal statute."40

To this end, the Court discarded more than 170 years of precedent and created a conditional privilege: the actual malice rule.[41]

Legal philosopher Alexander Meiklejohn, who advocated absolute protection for public speech,[42] said the decision was "an occasion for dancing in the streets."[43] Dean William L. Prosser said it was "unquestionably the greatest victory won by the defendants in the modern history of the law of torts."[44] But it was Justice Hugo Black's concurring opinion in New York Times that proved more prophetic.

> 'Malice,' even as defined by the Court, is an elusive, abstract concept, hard to prove and hard to disprove. The requirement that malice be proved provides at best an evanescent protection for the right critically to discuss public affairs and certainly does not measure up to the sturdy safeguard embodied in the First Amendment.45

Many legal and media scholars believe that more than 20 years after New York Times, libel law remains "very much alive and treacherous."[46] Writing in 1988, The New York

Times' Salisbury suggested that "to this day, despite the Supreme Court, a plague of libel suits has infested the exercise of First Amendment rights, caused newspapers and electronic media millions in legal fees, and often dampened press enthusiasm for hard-hitting reporting."[47]

True, the actual malice rule articulated in New York Times made it more difficult for public official plaintiffs to recover damages, and subsequent Supreme Court ruling erected that barrier first in front of public figures,[48] and then before anyone involved in a matter of public interest.[49] But the Court's 1974 opinion in Gertz v. Robert Welch, Inc.[50] placed a renewed emphasis on the interests in reputation that has been carried through its progeny.[51] Damage awards and litigation costs have risen dramatically, perpetuating what Anderson called "a system of censorship by libel lawyers--a system in which the relevant question is not whether a story is libelous, but whether the subject is likely to sue, and if so, how much will it cost to defend."[52] Such a system is exactly what the actual malice rule was designed to eliminate.

Dynamics of State Judiciaries

Have the common law of defamation and Justice Brennan's constitutional safeguard and its progeny been used as "weapon[s] of suppression" in the vein of seditious libel, "facilitat[ing] subterfuge and infiltration" of Americans' First Amendment liberties?[53] Scholars searching for an answer to such a query often look at the relevant Supreme Court decisions, assume "lower court lock-step compliance--and [stop] there."[54] Blanchard decried the resulting dearth of studies at the state court level, saying it is indicative of a blatant dismissal of "the federal nature of the union and the fact that it has only been with the onset of the twentieth century and with the growing complexity of society that attention has been focused on the national level of government as the only level that matters."[55] She suggested that state court decisions provide the Supreme Court with a foundation for its decisions.[56]

On the other hand, the work of judicial behavioralists, which focuses largely on desegregation and busing issues, suggests that state court decisions often reflect radical departures from Supreme Court directives. As far as freedom of speech and press is concerned, Anderson noted, "most state courts have never shared the Supreme Court's conviction that the first amendment requires considerable tolerance of defamatory falsehoods."[57] Daniels, then Newsweek's legal counsel, noted that "[a]lthough some states have codified their libel laws, rarely do I worry that a potential libel plaintiff will influence the outcome of a case through the legislative process; generally, libel law is made by judges and juries."[58] And this, Anderson argued, is exactly what is wrong with libel law today.[59]

> I believe that permitting judges and juries to decide what the press may or may not publish, on pain of paying a libel judgment, is governmental control of the press, just as surely as would be a system permitting the executive to prohibit publication upon pain of paying a fine.60

The results of several studies confirm that judges can indeed be an unknown factor in the litigation process. As Peltason rightly observed, a "Supreme Court victory for one hardly means that the other lost the war;"[61] a lower court judge acting as gatekeeper can, in effect, help the defeated regroup. The High Court frequently sends cases back to lower courts for disposition consistent with its decision. In one eleven-term span, the Court reversed and remanded 175 cases to state tribunals; 46 involved further litigation--"in slightly less than half of these cases the party successful in the Supreme Court was unsuccessful in the state court following the remand."[62] And, with one exception, those changes had been wrought through interpretation rather than outright defiance.[63] Thus, a Supreme Court reversal can be viewed by the defeated lower court judge as a chance to "interpret and apply the Supreme Court decisions [in such a way as] to minimize the significance of their superior's orders."[64] As Murphy observed, "refusal to accord official recognition to changing doctrine can also confer power."[65]

The Justice Department's Burke Marshall, speaking at Columbia University in 1964, noted with concern that the Southern courts had, over the decades, evolved into "a system of all-white courts, staffed by all-white officialdom."[66] Such a system, he suggested, fostered an abuse of state authority, "thrusting imbalance into the processes of justice where racial customs are threatened."[67] Lewis called this abuse "official lawlessness," used as "an expression of force, not law, to maintain a caste system . . . ."[68] The question remains as to the extent this official lawlessness has been brought to bear on the media.

Hypotheses

The literature has suggested--and history confirmed--that freedoms of speech and press are likely to be curtailed during periods of political and/or social stress such as the American South has been experiencing for much of this century. The work of the judicial behavioralists further suggested that while in theory the Southern bench should be insulated from these stresses, and should comply with Supreme Court directives, in practice that would simply not be the case. Instead, the judiciary would respond to these stresses and effect the curtailment of public speech via several means, including the law of libel. At the most basic level, this could involve handing down a decision that favors the public person plaintiff over the defendant.

Four hypotheses were tested using data collected from a census of decisions handed down from 1925 through 1989 in the supreme courts of Alabama, Arkansas, Georgia, Mississippi and South Carolina.

> Hypothesis I: During both the pre- and post-New York Times v. Sullivan periods, the state supreme courts were more likely to hand down a libel decision favoring the plaintiff over the defendant in cases in which the plaintiff was a public person rather than a non-public person.
>
> Hypothesis II: During both the pre- and post-New York Times v. Sullivan periods, the state supreme courts were more likely to hand down a libel decision favoring the plaintiff over the defendant in cases in which the speech was public speech rather than non-public speech.
>
> Hypothesis III: During both the pre- and post-New York Times v. Sullivan periods, the state supreme courts were more likely to hand down a libel decision favoring the plaintiff over the defendant in cases in which the defendant was a media defendant rather than a non-media defendant.
>
> Hypothesis IV: During both the pre- and post-New York Times v. Sullivan periods, the state supreme courts were more likely to hand down a libel decision favoring the plaintiff over the defendant in cases in which the speech was public speech and the defendant a media defendant than in cases involving any other combination of speech and defendant.

Methodology

In an effort to develop as complete a case list as possible, three methods of identifying appropriate cases were used: Lexis, the West indexing system, and the state reporter indexing system. Of the 386 cases found to fall within the study period, 107 were from Alabama, 73 from Arkansas, 29 from Georgia, 85 from Mississippi, and 92 from South Carolina. It is recognized that this case list is not exhaustive because, for example, the Mississippi Supreme Court is not required to issue a written opinion when lower courts' judgments are affirmed, unless a majority of the justices vote to do so.

The operational definitions explicated below draw heavily from the studies of Franklin[69] as well as those of Bezanson, Soloski and Cranberg.[70] Overall inter-coder and intra-coder reliability scores were at least 99.0% as determined before, during and after the study. It should also be noted that although this study dealt with appellate court decisions, it was clearer to refer to the parties in the appeal in terms of their role in the original suit: plaintiff v. defendant.

Date: Data were collected for the exact date each state supreme court decision was handed down, and these data were collapsed into pre- and post-New York Times v. Sullivan decisions. A slim majority, or 52.8%, of the cases coded were decided before that decision was handed down on March 9, 1964. Given that the pre-New York Times period covers 41 years, and the post-New York Times period only 25, it appears that libel litigation in the five study states has been on the rise--a trend noted in the literature review for the nation as a whole.

Plaintiff: It was not tenable to test the hypotheses using data collected on the courts' determination of the libel plaintiff's status, available in only 5.4% of the pre-New York Times cases and 16.5% of the post-New York Times cases. Instead, these limited data were used to guide in categorizing plaintiffs as public or non-public plaintiffs in terms of their occupations. Consistent with the conceptual definition of seditious libel as criticism of the government and/or its governors, public plaintiffs were defined as elected officials, former elected officials, employees and candidates on the federal, state and local levels; military personnel; state and local law enforcement officials; and members of the judiciary. All plaintiffs with any other occupation were treated as other plaintiffs. Where data on the plaintiff's occupation were available, or in 269 cases, 27.5% of the plaintiffs were public persons, 72.5% were non-public person plaintiffs.

Defendant: Defendants were categorized as media or non-media defendants in terms of their primary occupation in the context of the case. Of the 345 cases for which such data were available, 27.5% involved media defendants while 72.5% involved non-media defendants. Of the media defendants, 89.3% could be classified as print media; the majority were daily newspapers.

Speech: Data were collected on the nature of the defamatory charge: was it related to the plaintiff's primary occupation or was it unrelated? The defendant was considered to be engaged in public speech if the plaintiff was a public person and the defamatory charge was related to the plaintiff's business, in this case public service. All other combinations of plaintiff and defamatory charge were considered to be non-public speech. Of the 251 cases where the type of speech could be discerned, 18.3% involved public speech while 81.7% involved non-public speech.

Party Favored by the State Supreme Court Decision: The dependent variable required determining which party to the original suit won at the state supreme court level. These data were more complete by virtue of the fact that this is one of the few details researchers can count on being included in reported state supreme court decisions. Still, in eight cases the state supreme court affirmed in part/reversed in part; since all parties were thus favored to some degree, these data were treated as missing. Of the remaining 378 cases, the plaintiff was the party favored in 41.0%, the defendant in 59.0%.

Findings

To test the hypotheses, multidimensional cross-classification tables were constructed. The data were drawn from a census; thus observed differences were treated as real differences. The influence of the missing data, however indeterminable, cannot be ignored.

Hypothesis I

Hypothesis I held that the dependent variable of party favored by the court's decision was a function of the independent variables of plaintiff's occupation and date.

The data in Table 1 show that, as hypothesized, the pre-New York Times courts studied here were more likely to decide in favor of public person plaintiffs than they were any other type of plaintiff. An examination of the pre-New York Times row totals and corresponding column percentages in Table 1 shows that plaintiffs and defendants overall had an essentially equal chance--51.1% and 48.9% respectively--of being the party favored by the courts. This was also true for plaintiffs classified as non-public person plaintiffs; non-public person plaintiffs were just as likely to win (48.2%) as lose (51.8%). But when the plaintiff was a public person plaintiff, his odds of being the party favored by the state supreme courts decision increased tremendously, to two to one (66.7%); public person plaintiffs lost only 33.3% of their cases during this time period.

This was not the case during the post-New York Times period. Contrary to the hypothesis, the data show that the post-New York Times courts seemed to be more concerned with the party's role in the original suit--plaintiff or defendant--than with the plaintiff's occupation. In fact, the row totals and corresponding column percentages indicate, defendants overall were twice as likely (66.4%) as plaintiffs (33.6%) to be the favored party in the state supreme courts. This pattern held for both public person and non-public person plaintiffs. The former won only 32.1% of their cases, losing the majority, or 67.9% Similarly, the later won 34.7% of his cases, losing a majority, or 65.3%. In short, being a public person no longer made a difference to the courts.

The data do not support the hypothesis, and it must be rejected.

Hypothesis II

Hypothesis II posited that the dependent variable of party favored by the state supreme court decision was a function of the independent variables of speech and date.

The pre-New York Times data support the hypotheses; plaintiffs in public speech cases, who by operational definition were public persons, were more likely to win than were plaintiffs in non-public speech cases. Overall, as the row totals and corresponding column percentages in Table 3 indicate, more plaintiffs won (52.8%) at the state supreme court level than did defendants (47.2%). Indeed plaintiffs won more often than did defendants regardless of the type of speech involved. But this does not mean the type of speech at suit made no difference in the outcome of the case. In fact, the column percentages show, the plaintiffs in public speech cases, who by operational definition were public persons, won 66.7% of their state supreme court cases, losing only a minority, or 33.3%. The plaintiffs in a non-public speech cases were only slightly more likely to win (50.9%) than lose (49.1%).

The same cannot be said for the post-New York Times period. Contrary to the hypothesis, the plaintiff was likely to be the losing party regardless of the type of speech involved; the courts now seemed more concerned with the party's role in the suit--plaintiff or defendant--than with the type of speech at issue. But still, it was noted that the plaintiff in a public speech case was more likely to win before these state courts than was the plaintiff in a non-public speech case. Overall, the total column percentages in Table 3 indicate, the state supreme courts favored the defendant in two out of three (66.4%) cases, deciding for the plaintiff in only a minority, or 38.67%, of the cases. This pattern did not change, except in intensity, when the influence of the independent variable speech was taken into account. In public speech cases, defendants won 61.3% of their cases, losing only 38.7%; similarly, in non-public speech cases, defendants won 68.2% of their cases, losing only 31.8%.

Because the data do not not support Hypothesis II, it is rejected.

Hypothesis III

Hypothesis III held that the dependent variable of party favored by the state supreme court's decision was a function of the independent variables of defendant's occupation and date of the decision.

The pre-New York Times data in Table 3 suggests that there is support for the hypothesis: when the defendant was a media defendant, the pre-New York Times courts were more likely to favor the plaintiff over the defendant. The row totals and corresponding column percentages indicate that defendants overall won more often (53.7%) than not (46.3%) before the state supreme courts; it should be noted that this is not a point that is consistent with the tables previously examined, which suggests that the data here is not representative of the larger body of data. But when the data are examined across defendant's occupation, it is seen that a majority, or 53.2%, of the media defendants lost their cases; only 46.8% of the media defendants won their cases. In contrast, a majority, or 56.2%, of the non-media defendants won their cases; 43.8% lost their cases.

A majority, or 63.1%, of the post-New York Times defendants overall won their cases at the supreme court level; the total column percentages indicate that only 36.9% of the defendants overall lost their cases. A look at the distribution of the data across the independent variable indicates that the defendant's occupation did not seem to make a big difference to the courts. Still, non-media defendants won 64.6% of their cases while only 59.6% of the media defendants won theirs.

Hypothesis III must be rejected.

Hypothesis IV

The fourth hypothesis held that the dependent variable of the party favored by the court's decision was a function of the independent variables of speech, the defendant's occupation and date.

The row totals and corresponding total column percentages in Table 4.a show that in pre-New York Times public speech libel cases, the plaintiff was favored by the state supreme court decision more than twice as often (69.2%) as was the defendant (30.8%). In contrast, when the speech was non-public speech, the plaintiff and the defendant were just as likely (49.5% and 50.5%, respectively) to be the party favored by the court's decision.

An examination of the distribution of data on defendant's occupation while controlling for speech yields additional information about reported pre-New York Times state libel decisions. Media defendants comprised a much greater percentage of the defendants in public speech cases (53.8%) than in non-public speech cases (20.0%). And, as was hypothesized, the media defendants lost more public speech cases, or 71.4%, than they won, or 28.6%; however, non-media defendants also lost a majority, or 66.7%, of their public speech cases, winning only 33.3%. In non-public speech cases, media defendants lost a majority, or 61.9%, of their cases, and won 38.1%; however, the non-media defendants lost 46.4% and won a majority, or 53.6%.

In contrast, the post-New York Times data in Table 4.b shows that the party favored in public speech cases was likely to be the defendant. Furthermore, in public speech cases, the media defendant was more likely than the non-media defendant to win before the state supreme court. More precisely, the percentage of media defendants was higher in public speech cases (41.9%) than in non-public speech cases (22.8%). But here, regardless of the type of speech or the defendant's occupation, the defendant won his case at the state supreme court level more often than did the plaintiff. The row totals and corresponding column percentages show that 61.3% of the public speech defendants won their cases while 69.6% of the non-public speech defendants won theirs.

These figures change little when the independent variable of defendant's occupation is taken into account. Contrary to the hypothesis, the media defendants in public speech cases won 76.9% of their cases, losing only 23.1%; the non-media defendants, however, lost 50.0% of their cases, which was as often as they won. In non-public speech cases, media defendants won 61.1% of their cases and lost 38.9%; the other defendants won 72.1% of their cases, losing only 27.9%.

Because the hypothesized higher order interaction effect was not supported by the data, Hypothesis IV must be rejected.

Conclusions

Bezanson could have been summarizing the literature and professional commentary when he argued in 1986 that "[w]hat the legal system is doing today under the banner of First Amendment libel privileges is crafting a legal action to enforce press responsibility."[71]

This study suggests that while this may have been the case prior to the Supreme Court's New York Times v. Sullivan decision, things have since changed in Alabama, Arkansas, Georgia, Mississippi and South Carolina.

While it was posited that various relationships between defendant's occupation, plaintiff's occupation and speech would influence the court's decision, it was further hypothesized that the date of the court's decision--pre- or post-New York Times v. Sullivan--would have no bearing on those relationships. In fact, the independent variable of date was shown to be consistently related to the other three independent variables as well as the dependent variable.

The data show that prior to the Court's decision in New York Times v. Sullivan, the plaintiff--whether he was a public person plaintiff or not--was likely to be the party favored by the supreme court's decision. But the data also show that public person plaintiffs and plaintiffs involved in public speech cases (where the plaintiff was by definition a public person plaintiff) seemed to have the advantage in the supreme courts of these five Southern states while media defendants involved in any litigious situation were at the disadvantage. He could rest assured that he was likely to emerge defeated, especially if he was involved in a public speech case, facing a public person plaintiff. By favoring the public person plaintiff, the courts effectively used the common law of defamation to suppress public speech and the press; a defendant who must bear the cost of a libel suit, appeals and/or damages is sure to think twice before speaking out again.

While the literature and the hypotheses suggested that the post-New York Times v. Sullivan libel climate would be similarly suppressive, the data suggest otherwise. True, they show that the number of public person plaintiffs involved in public speech suits had increased dramatically. But they also indicate that those public person plaintiffs--or, for that matter, any plaintiffs--were not likely to be the party favored by the courts' decisions, regardless of the defendant's occupation or the type of speech at issue. It thus appears that the New York Times decision erected a formidable barrier to recovery in front of plaintiffs in these state supreme courts.

The exact nature of this barrier remains unknown. It does not seem to be a legal mandate in the form of actual malice; had that constitutional privilege been the dispositive issue, more cases would have dealt with the question of the plaintiff's public official/public figure/ private citizen status. It could instead be argued that the precedent alternatively seems to be more philosophically based. The Court had fashioned its opinion in New York Times v. Sullivan "against the background of a profound national commitment to the principle that debate on public issues should be uninhibited, robust, and wide-open, and that it may well include vehement, caustic, and sometimes unpleasantly sharp attacks on government and public officials."[72] These Southern courts, which in the past had exhibited a tendency to smother free debate, now appear to embrace the First Amendment. In defending the rights of freedom of speech and of the press, the Supreme Court of Mississippi noted in a 1984 libel case that "If the plaintiffs' [oppressive] construction of the First Amendment had been in effect over the years, we are confident no one today would ever have heard the name of H.L.Mencken, or in this state of Frederick Sullens, of Hodding Carter or of P.D.East, with the consequence that we may have come to take ourselves too seriously."[73]

The conclusion that these five state supreme courts have turned a philosophical leaf and are now following the lead of the Supreme Court of the United States certainly contradicts those few studies that have looked at state court libel decisions. But those studies were completed using more traditional legal research methodologies, a fact which suggests the need for a similar analysis of the body of the state courts' opinions in the libel cases studied here. Should the results of such an expanded study parallel those found here, it would add credibility to the application of quantitative methodologies in legal research; contradictory results could serve to emphasize their limitations.

A look at the relationship between the state supreme courts and the trial courts might also be fruitful. The jurisdiction of the former is obviously larger, which could suggest that the judge would be more naturally insulated from the political, social and economic pressures that cannot help but come to bear on the trial judge who lives and works in the community he/she serves.

Additional study is also needed to determine whether these findings are peculiar to these five Southern states or if they are in the mainstream, that the highest state courts across the land have been diligently protecting First Amendment freedoms since the landmark New York Times v. Sullivan case.

Table 1
PARTY* FAVORED BY STATE SUPREME COURT LIBEL DECISIONS, BY PLAINTIFF AND DATE OF DECISION

Pre-New York Times v. Sullivan

	PLAINTIFF		
PARTY FAVORED COURT DECISION	Public Person n Col %	Non-Public Person n Col %	Total n Col %
Plaintiff	14 66.7%	54 48.2%	68 51.1%
Defendant	7 33.3%	58 51.8%	65 48.9%
TOTAL	21	112	133

Post-New York Times v. Sullivan

	PLAINTIFF		
PARTY FAVORED COURT DECISION	Public Person n Col %	Non-Public Person n Col %	Total n Col %
Plaintiff	17 32.1%	26 34.7%	43 33.6%
Defendant	36 67.9%	49 65.3%	85 66.4%
TOTAL	53	75	128

* As determined by party's role in original suit.

Note: Of the 386 cases handed down by these five state courts between 1925 and 1989, only 67.6% had data complete enough to test this hypothesis. Because 32.4% of the cases had missing data, these tables must be interpreted conservatively.

Table 2

PARTY* FAVORED BY STATE SUPREME COURT LIBEL DECISIONS, BY SPEECH AND DATE OF DECISION

Pre-New York Times v. Sullivan

	SPEECH		
PARTY FAVORED* COURT DECISION	Public Speech n Col %	Non-Public Speech n Col %	Total n Col %
Plaintiff	10 66.7%	57 50.9%	67 52.8%
Defendant	5 33.3%	55 49.1%	60 47.2%
TOTAL	15	112	127

Post-New York Times v. Sullivan

	SPEECH		
PARTY FAVORED* COURT DECISION	Public Speech n Col %	Non-Public Speech n Col %	Total n Col %
Plaintiff	12 38.7%	27 31.8%	39 33.6%
Defendant	19 61.3%	58 68.2%	77 66.4%
TOTAL	31	85	116

* As determined by party's role in original suit.

Note: Of the 386 cases handed down by these five state courts between 1925 and 1989, 63.0% had data complete enough to test this hypothesis. Because 37.0% of the cases had missing data, these tables must be interpreted conservatively.

Table 3
PARTY* FAVORED BY STATE SUPREME COURT LIBEL DECISIONS, BY DEFENDANT'S OCCUPATION AND DATE OF DECISION

Pre-New York Times v. Sullivan

	DEFENDANT'S OCCUPATION		
PARTY FAVORED* COURT DECISION	Media n Col %	Non-Media n Col %	Total n Col %
Plaintiff	25 53.2%	57 43.8%	82 46.3%
Defendant	22 46.8%	73 56.2%	95 53.7%
TOTAL	47	130	177

Post-New York Times v. Sullivan

	DEFENDANT'S OCCUPATION		
PARTY FAVORED* COURT DECISION	Media n Col %	Non-Media n Col %	Total n Col %
Plaintiff	19 40.4%	40 35.4%	59 36.9%
Defendant	28 59.6%	73 64.6%	101 63.1%
TOTAL	47	113	160

* As determined by party's role in original suit.

Note: Of the 386 cases handed down by these five state courts between 1925 and 1989, 87.3% had data complete enough to test this hypothesis. Because 12.7% of the cases had missing data, these tables must be interpreted conservatively.

Table 4.a

PARTY* FAVORED BY STATE SUPREME COURT LIBEL DECISIONS, BY DEFENDANT'S OCCUPATION, SPEECH AND DATE OF DECISION

Pre-New York Times v. Sullivan

	SPEECH					
	Public			Non-Public		
	DEFENDANT'S OCCUPATION			DEFENDANT'S OCCUPATION		
PARTY FAVORED* COURT DECISION	Media n Col %	Non-Media n Col %	Total n Col %	Media n Col %	Non-Media n Col %	Total n Col %
Plaintiff	5 71.4%	4 66.7%	9 69.2%	13 61.9%	39 46.4%	52 49.5%
Defendant	2 28.6%	2 33.3%	4 30.8%	8 38.1%	45 53.6%	53 50.5%
TOTAL	7	6	13	21	84	105

* As determined by party's role in original suit.

Note: Of the 386 cases handed down by these five state courts between 1925 and 1989, 59.1% had data complete enough to test this hypothesis. Because 40.9% of the cases had missing data, these tables must be interpreted conservatively.

Table 4.b

PARTY* FAVORED BY STATE SUPREME COURT LIBEL DECISIONS, BY DEFENDANT'S OCCUPATION, SPEECH AND DATE OF DECISION

Post-New York Times v. Sullivan

	SPEECH					
	Public			Non-Public		
	DEFENDANT'S OCCUPATION			**DEFENDANT'S OCCUPATION**		
PARTY FAVORED* COURT DECISION	Media n Col %	Non-Media n Col %	Total n Col %	Media n Col %	Non-Media n Col %	Total n Col %
Plaintiff	3 23.1%	9 50.0%	12 38.7%	7 38.9%	17 27.9%	24 30.4%
Defendant	10 76.9%	9 50.0%	19 61.3%	11 61.1%	44 72.1%	55 69.6%
TOTAL	13	18	31	18	61	79

* As determined by party's role in original suit.

Note: Of the 386 cases handed down by these five state courts between 1925 and 1989, 59.1% had data complete enough to test this hypothesis. Because 40.9% of the cases had missing data, these tables must be interpreted conservatively.

ENDNOTES

[1] THE STATUTES AT LARGE OF THE UNITED STATES, 1789-1873 (Boston, 1845-73), I. 566, 570, 577, 596.

[2] See FREEDOM OF THE PRESS FROM ZENGER TO JEFFERSON (L. Levy ed. 1966); J.M. Smith, FREEDOM'S FETTERS (1956).

[3] See Johnston, Newspaper Prosecutions for Contempt of Court: Scandalizing the Court Compared with Seditious Libel, unpublished master's thesis, Southern Illinois University (July 1976); Downs, Issues of the Past Decade, in THE FIRST FREEDOM TODAY 17 (R. Downs, R. McCoy eds. 1984).

[4] See Anderson, Libel and Press Self-Censorship, 53 TEX. L. REV. 422 (1975) [hereinafter cited as Self-Censorship]; D.M. Gillmor, William Brennan and the Failed 'Theory' of Actual Malice, presented as a Howard R. March Lecture at the University of Michigan, Ann Arbor, April 25, 1980.; S. Helle, Twenty Years After New York Times v. Sullivan (And Ten Years After Gertz v. Robert Welch), It's Time to Seek Relief in Congress from Bad Constitutional Law, presented at the Association for Education in Journalism and Mass Communications Annual Convention (August 1984) [hereinafter cited as Twenty Years After]; and Smolla, Let the Author Beware: The Rejuvenation of the American Law of Libel, 132 U. PA. L. REV. 1 (1983).

[5] See H. Kalven, Jr. THE NEGRO AND THE FIRST AMENDMENT (1965); Lewis, New York Times v. Sullivan Reconsidered: Time to Return to 'The Central Meaning of the First Amendment,' 8 COLUM. J. ART & L. 1 (1983); and Ottley, Lewis and Ottley, New York Times v. Sullivan: A Retrospective Examination, 33 DE PAUL L. REV. 741 (1984).

[6] New York Times v. Sullivan, 376 U.S. 254 (1964).

[7] Gitlow v. People of State of New York, 268 U.S. 652 (1925).

[8] Id. at 666. Justice Sanford's obiter dictum in the Court's majority opinion was confirmed unanimously as per freedom of speech in Fiske v. Kansas, 274 U.S. 380 (1927), and again by a 7-2 majority in Stromberg v. California, 283 U.S. 359 (1931). Freedom of the press was incorporated by a 5-4 majority in Near v. Minnesota, 283 U.S. 697 (1931).

[9] 315 U.S. 568, 571-72 (1942). See also 283 U.S. at 715; Beauharnais v. People of the State of Illinois, 343 U.S. 250, 266 (1952); Roth v. United States, 354 U.S. 476, 486-87 (1957).

[10] 283 U.S. at 718.

[11] Rosenblatt v. Baer, 383 U.S. 75, 92 (1966). The seed for this concept was sown by Solon's recognition of the crimes of slandering the dead and defaming the living in the revised Athenian Constitution of 549 B.C. See R. Bonner, ASPECTS OF ATHENIAN DEMOCRACY (1967); H. Ryan Free Speech in Ancient Athens, in FREE SPEECH YEARBOOK 20-30 (1972).

[12] 283 U.S. at 715.

[13] See N. Rosenberg, PROTECTING THE BEST MEN: AN INTERPRETIVE HISTORY OF THE LAW OF LIBEL (1986).

[14] See Id. at 235-57.

[15] New York Times v. Sullivan.

[16] A. Lewis, PORTRAIT OF A DECADE 4 (1964); see also A. Lewis, MAKE NO LAW 15-22 (1991).

[17] PORTRAIT OF A DECADE, at 5.

[18] Id. at 5-6.

[19] Id. at 6.

[20] Id. at 51.

[21] Id. at 92.

[22] Id. at 60.

[23] Id. at 6.

[24] 376 U.S. at 266.

[25] Id. at 257.

[26] See Id. at 258-59.

[27] New York Times v. Sullivan, 144 So.2d 25 (1962).

[28] Id. at 394; Ottley, Lewis & Ottley, New York Times v. Sullivan: A Retrospective Examination, 33 DE PAUL L. REV. 741, 747-55 (1984).

[29] Kalven, The New York Times Case: A Note on 'The Central Meaning of the First Amendment,' 1964 SUPREME COURT REVIEW 200.

[30] Ottley, Lewis & Ottley, New York Times v. Sullivan: A Retrospective Examination, 33 DE PAUL L. REV. 741, 748 (1984).

[31] Id., citing Fall-Out From Ad Error, Montgomery Advertiser, May 22, 1960, reprinted in 5 Record at 2025, New York Times.

[32] Id at 759.

[34] Lewis, *supra* note 74, at 294.

[35] *Petition for a Writ of Certiorari to the Supreme Court of Alabama*, 58 LANDMARK BRIEFS AND ARGUMENTS OF THE SUPREME COURT OF THE UNITED STATES: CONSTITUTIONAL LAW 311, 322 (P. Kurland & G. Casper eds. 1968) [hereinafter cited as *Petition for a Writ*]. The *Times* legal team, led by Herbert Wechsler, was certainly a distinguished panel: Herbert Brownell, Thomas F. Daly, Louis M. Loeb, T. Eric Embry, Marvin E. Frankel, Ronald S. Diana and Doris Wechsler. On the other hand, Sullivan was represented by M. Roland Nachman, Jr., Sam Rice Baker and Calvin Whitesell.

[36] *Id*. at 324.

[37] 376 U.S. at 271-72 (quoting N.A.A.C.P. v. Button, 371 U.S. 415, 433 (1963)).

[38] *See* THE STATUTES AT LARGE OF THE UNITED STATES, 1789-1873 (Boston, 1845-73), I, 566, 570, 577, 596.

[39] 376 U.S. at 276.

[40] *Id*. at 277.

[41] *Id*. at 279-80.

[42] A. Meiklejohn, FREE SPEECH AND ITS RELATION TO SELF-GOVERNMENT (1948).

[43] H. Kalven, Jr., *The New York Times Case: A Note on 'The Central Meaning of the First Amendment*,' 1964 SUPREME COURT REVIEW 191, 221, n. 125 (Kurland ed.).

[44] W. Prosser, *supra* note 17, sec. 118, at 819 (4th ed. 1971).

[45] 376 U.S. at 297.

[46] *See Twenty Years After, supra* note 4.

[47] H. Salisbury, A TIME OF CHANGE 55 (1988).

[48] Curtis Publishing Co. v. Butts and Associated Press v. Walker, 388 U.S. 130 (1967).

[49] Rosenbloom v. Metromedia, 403 U.S. 29 (1971).

[50] 418 U.S. 323.

[51] Anderson, *Libel and Press Self-Censorship*, 53 TEX. L. REV. 422 (1975) [hereinafter cited as *Self-Censorship*].

[54] THE IMPACT OF SUPREME COURT DECISIONS 61 (T. Becker ed. 1969).

[55] Blanchard, *Filling in the Void: Speech and Press in State Courts prior to Gitlow*, THE FIRST AMENDMENT RECONSIDERED 14, 16 (B. F. Chamberlin ed. 1982).

[56] *Id*. at 43.

[57] Anderson, *A Response to Professor Robertson: The Issue is Control of Press Power*, 54 TEX. L. REV. 271, 281 (1976).

[58] *Id*. at 957.

[59] Anderson, *A Response to Professor Robertson: The Issue is Control of Press Power*, 54 TEX. L. REV. 271 (1976).

[60] *Id*. at 271.

[61] J. Peltason, *The Federal Courts in the Political Process* 60 (1955).

[62] Note, *Congressional Reversal of Supreme Court Decisions, 1945-57*, 73 HARVARD L. REV. 1324 (1958).

[63] *Id*.

[64] *Id*.

[65] Murphy, *Lower Court Checks on Supreme Court Power*, THE IMPACT OF SUPREME COURT DECISIONS 65, 73 (T. Becker ed. 1969).

[66] Lewis, *supra* note 74, at 294.

[67] *Id*.

[68] *Id*. at 295.

[69] Franklin, *Suing Media for Libel: A Litigation Study*, 1981 AM. B. FOUND. RESEARCH J. 795-831; Franklin, *Winners and Losers and Why: A Study of Defamation Litigation*, 1980 AM. B. FOUND. RESEARCH J. 455-500.

[70] Bezanson, Cranberg & Soloski, LIBEL LAW AND THE PRESS (1987).

[71] Quoted in The Gannett Center for Media Studies, THE COST OF LIBEL: ECONOMICS AND POLICY IMPLICATIONS, 6 (1986).

[72] *Id*. at 270-71.

[73] Ferguson v. Watkins, 448 So.2d 271 (1984).

Rental of Feature Films on Videocassette: Changes in Industry Structure and Consumer Behavior from the Perspective of the Rental Stores

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This paper looks at the prerecorded video tape industry, specifically retail rental and sales of feature films. The topic is examined from the perspective of the retail specialty video store. Changing consumer behavior, effects of new technology on the rental industry, and maturation of the industry are described. The paper is intended to be descriptive rather than analytical and to offer an industry perspective in comparison to the bulk of the research, which centers on adoption and viewing patterns.

The bulk of the growing literature on this topic concerns viewing behavior rather than prerecorded cassette renting and buying behavior. Much of this research examines how video cassette recorder/players are utilized for taping off air and off cable (Henke & Donohue, 1989). Rubin and Bantz (1987) studied the "utility" of the VCR and how it affected involvement and selectivity of viewing. Krugman and Johnson (1991) and Krugman, Shamp, and Johnson (1991) studied videocassette rental films, but from the angle of whether viewers regard rental films as a replacement for television or for theater going. Occasional articles tie consumer rental behavior to the industry (Komiya, 1990) or to ratings from a marketing perspective (Sims, 1989). However, this pragmatic approach finds resistance from scholars just as the original study of VCRs was thought to be a technological issue not of interest to social scientists (Levy, 1987).

During the mid-1980s, a modest investment by an independent entrepreneur in a video rental store could turn a tidy profit. Consumers were taking home their first video tape machines and were fascinated not only by recording off air but by everything that was available.

By 1991, the industry had evolved to its first level of maturity. Important changes affected the rental store owners and consumers.

VCRs in the Home

An indication of the sweeping changes in the way we use television is the growth in the number of VCRs in the home. At first, VCR use was assumed to be a method of time shifting and zapping. However, once the machines were in place, a new market was created for rental and purchase of recorded tapes. According to the Electronic Industries Association, the home VCR has become the fastest-growing electronics product in history.

TABLE 1

Home Penetration	
1980	2%
1983	11%
1985	29%
1987	53%
1989	63%
1990	66%
1991	73%

Source: VCRs: A new medium, a new message (1989) and TV snapshot (1992).

Pornographic movies were once assumed to be what renters would want. Other low budget, cult films were made available, partly on the assumption that renters would try anything placed on the store shelf. While porno titles are still wide-spread, a 1990 industry survey found that 38% of responding renters would prefer the sanitized airline versions of R-rated theatrical films. This rises to 54% among respondents over the age of 50. Naturally, these results varied across geographical regions of the country (Story, 1990, October)

By the mid-1980s, the industry reported that 40% of films viewed were viewed at home and that teens and young adults (the heavy theater goers) had decreased their theater attendance (Klopfenstein, 1989).

The Rental Store Business

Entry to the retail rental trade by small store owners was made easy by the fact that there is no vertical control by the major production companies. Store owners buy from regional distributors and are independent retailers (Komiya, 1990).

Annual sales rose from 3.3 billion recorded tapes in 1987 to 4.09 billion tapes in 1991. However, the market was static from 1990-91 (Table 2). The industry saw the lack of decline during this recessionary period as holding its own, especially compared to the drop of 8% in theater tickets sold in 1991 compared to 1990.

Table 2

	1987	1988	1989	1990	1991
			RENTAL MARKET		
Total Rentals (in billions of units)	3.3	3.74	4.06	4.13	4.09
Average Price	$2.25	$2.30	$2.40	$2.70	$2.50
			SELLTHROUGH MARKET		
Total Purchase (millions of units)	115.6	147.7	195.5	231.0	290.7
Average Price	$21.32	$19.53	$17.83	$16.14	$15.93

Source: Five years of video (1992).

Not all titles are intended for store rental. Sellthrough means that copies are intended for sale by stores directly to consumers without having been offered as rentals. Both rentals and sellthrough are governed under the First Sale Doctrine of the Copyright Act. Once prerecorded tapes are sold by wholesalers to retailers, studios and distributors lose control. Retailers may rent or sell tapes at any price, and no further payments are made to the producers or rights holders. Since distributors will receive no compensation based on rentals, wholesale prices are set accordingly high (Komiya, 1990). Nielsen figures show a leveling off of sellthrough since 1989. The percentage of VCR homes to which tapes are sold has remained static at 56% ($11 billion baby, 1991).

Pricing

A consideration in wholesale pricing is demand. In anticipation of a decline in video stores' purchases of cassettes, some studios increased prices of titles sold to retailers, especially those that might be popular in the sellthrough market. At the August 1990 Video Software Dealers' Association convention, there was reported to be a mood of apprehension over such price increases as the 10% by Paramount for the fall release of The Hunt for Red October. "Gloom and doom. That is the prevailing mood among many video retailers who will be attending the ...Video Software Dealers' Association convention.... The retailers' big concern is the impending rise in the wholesale price of rental tapes this fall and its many negative repercussions, which include higher rental prices" (Dealers' mood gloomy, 1990, p. D-4). Paramount Home Video surprised retailers with the $73.50 release of Hunt for Red October, meaning that the price to customers would be $99.95, compared to the more common $64.85 for a $89.95 title (Wallach, R., 1990). This was the beginning of big prices for early release of big hits.

As such costs are passed along in the form of higher nightly rental prices or the discontinuance of dollar nights and multiple night rentals, a further decline in rentals seems likely. What does this imply for the viewer? Because new release blockbusters make up 60-70% of rental revenue (Burnside, 1992), stores will emphasize new releases over diversity and little known films. If the small specialty stores are forced out, it seems likely that high volume chain operators will offer the public fewer alternatives.

This change in the business has encouraged some medium size rental stores to position themselves. If they are unable to afford large inventories of sellthrough and blockbuster titles, they may seek a less costly niche. An example is Video Vault in Washington, D.C. Video Vault features drive-in and cult titles. These titles are available to stores for as little as $20 per tape. Drive-in theaters today account for only seven percent of theater screens, and late-night TV offers fewer obscure black-and-white oldies. Video Vault claims mail order customers in 48 states (Night of the living videos, 1990).

Higher costs may escalate the takeover of small rental stores by chains. "Said Ed Weiss, general manager of Movies Unlimited, a five-store chain in the Philadelphia area: 'A lot of people will be talking about the wholesale price rise because, for some of these retailers and small manufacturers, it's the beginning of the end. The way the marketplace has changed in the past year or two, they can't survive'" (Dealers' mood gloomy, 1990, p. D-4).

In competition with Paramount's price hike, some distributors went for high volume with lower prices for some sellthrough titles: Pretty Woman, Ninja Turtles, and Total Recall at less than $25 (Wallach, R., 1990.) In most cases, distributors price theatrical blockbusters in the $90 range to gain greatest rental revenue. The titles priced for sellthrough are generally directed at children in the suggested list price range of $10-$25: Fantasia ($24.99), Little Mermaid ($26.99), Parent Trap ($19.99), and Home Alone ($24.98) (Tape best sellers, 1991).

Sellthrough is more lucrative for the high volume stores which can maintain large inventories within their large stores and can advertise and promote heavily. Specialty stores that do over $500,000 in annual business have twice the sellthrough revenue of stores in the under $100,000 business category (Video retailer survey, 1990). However, the video chains have competition from discount stores, which had 47% of all sellthrough business in 1990 (Story, 1990, October).

The market share for sellthrough by specialty video stores had dropped from 22% in 1988 to 12% by the close of 1991 ($11 billion baby, 1991).

Retail Outlets

Since 1987, there has been a decrease in the number of specialty video rental stores. There has also been a decline in the number of non-specialty video rental outlets (convenience stores, bookstores, etc.). However, in 1989, there were fewer specialty than non-specialty rental outlets for the first time (Story, 1990, April). Nevertheless, as of mid-1990, specialty video stores still commanded 78% of rental business compared to 13% by grocery stores and 6.4% by convenience stores (Story, 1990, October). From 1989 when there were approximately 30,000 specialty video stores, the count dropped to 28,000 by the end of 1991 (Arnold, 1992). Helping to keep small independent video retailers in business is the consumer preference for renting from stores within a two to three mile radius of home (Komiya, 1990). In fact, as marginally profitable stores close, states an analyst for Paul Kagan

Associates, "I think shakeout creates opportunity . . . the healthier store down the street might prosper even more" (Arnold, 1992, p. 39).

The percentage of small stores dropped from 33% to 25% of all video specialty stores in 1989. The rapid expansion of store inventory declined in the late 1980s. (Video retailer survey, 1990). But it not only the small retailer which has suffered. In January, RKO Warner Video filed for protection under Chapter 11. During the late 1980s, the chain went into debt in anticipation of adding more stores during a boom economy. When the recession hit, further loans were not available and RKO Warner Video could not repay its debt (Arnold, 1992). Whether independents survive will indicate the nature of the retail industry as it reaches maturity. The assumed domination by chain stores has yet to occur.

A new element in the mix may be vending machines. With a capacity of several hundred titles and 24-hour availability,
vending machines may alter the business once technical and security problems have been worked out (Video vending machines, 1991)

Another issue between distributors and retailers is pay-per-transaction. This contrasts to the current practice and would allow wholesalers to share in profits based on the number of times films were rented. A rationale for the approach is that it would allow wholesalers to offer first run films at lower cost to retailers in anticipation of sharing in rental revenue. If this were the case, retailers could afford to stock more copies of hit films because their up-front cost would be lower (Komiya, 1990). Another option for lowering up-front costs to retailers is the "green cassette."

This type of cassette contains a counter which allows only 25 rental plays before a built-in magnet automatically erases the tape. Knowing that stores could rent such tapes only 25 times, wholesalers might be willing to lower the initial price (New green cassettes, 1991). This makes sense for hit films, many copies of which would be needed by stores, but for only a few weeks. If the green cassette had limited plays, distributors would be assured that stores could not get away with buying only a few of these lower priced cassettes for a high-demand film nor could the stores sell used tapes after the first rush.

The Renting Public

The era has passed during which consumers seemed delighted with any title just for the fun of using the new VCRs. In 1989, there was a sudden decline in the number of movies being rented (Dealers' mood gloomy, 1990). An end of the year report for 1991 noted that "the bad news is that the average viewer is now renting 29 tapes per year, compared with 33 two years ago . . . according to Nielsen Research" ($11 billion baby, 1991, p. 1). Rental activity for 1991 was about the same as 1990, though the Christmas season 1991 was stronger. The 1991 sellthrough market exceeded the previous year with a healthy peak during Christmas (Video flash market barometer, 1992).

However, for some viewers, films at home are still somewhat of an event. Video films are regarded as akin to theater going by those who own sophisticated video technology, which offers a large screen and stereo sound (Krugman, Shamp & Johnson, 1991). Some 67% of US homes have VCR, but viewers seem to have become more discriminating in their selections. This is not to imply that viewers seek art films but that they are less content with obscure older titles. Few small shops are able to keep up with customers, many of whom have seen all the standard titles and are now interested mostly in new releases.

TABLE 3
Videotape Consumer Spending

	Rentals in ($000)	% Change from Previous Year	Sales in ($000)	
1986	$3,308	30%	$ 810	26%
1987	4,168	26%	1,004	24%
1988	5,210	25%	1,483	48%
1989	6,098	17%	2,240	51%
1990	6,654	9%	2,800	25%
1991	7,044	6%	3,380	20%

Source: Wallach, R., (1990) and
Video flash market barometer (1992).

New release blockbusters are the most popular rentals. Films that grossed over $100 million in theaters amount to less than 3% of all films on cassette but account for over 30% of retail rentals. A study of New England stores shows that "frequent renters" (at least once a week), typically teens and young adults, seek out new releases, and 70% of those surveyed indicated that stores should stock more new releases

(Buono, 1992). This $100 million plus category showed a slight increase in sales volumes to video stores from 1988-1989, but those films which could not be considered theatrical blockbusters suffered decreased sales (Story, 1990, July).

Table 4

Top films on cassette during Christmas week 1991
compared to first 20 weeks of box office performance

Rental	Theater	Sellthrough	Theater
Terminator 2	$202 mil.	Fantasia	n/a
City Slickers	120	Robin Hood	$164 mil
Backdraft	77	Home Alone	260
What About Bob	63	Ghost	200
Out for Justice	40	Grinch Stole Christmas	n\a

Sources: Top 50 video titles (1991), Top video sales (1992), and Weekly box office report (1991).

Of the top five sellthrough, only Robin Hood, Prince of Thieves ranked in the top 20 rental, at number 14. Fantasia ranked number 27 in rental. None of the top rental titles ranked among the top 40 in sellthrough. Distributors price certain titles low for the sellthrough market (Hunt for Red October being a notable exception), so these titles do not create as much revenue as do the popular rental titles. For instance, the most expensive sellthrough title among the top five was Fantasia, $24.99. Typical suggested retail prices for the films listed among the top five rentals was in the $90 range (Top 50 video titles, 1991, and Top video sales, 1992).

Comparing new releases to catalog titles, store inventory tends to comprise 41% new releases, 29% catalog titles, 7% children's titles, 7% adult, 5% classics, with the rest in how-to and music videos. The 41% new releases does not clearly reflect the number of different titles; a store will stock numerous copies of each block-buster new release. The 41% of new releases in store inventory produces 59% of rental **revenue** and 40% of sellthrough revenue (Video retailer survey, 1990). As renters choose from both the new releases and catalog titles, they rent more comedies than any other genre. Comedy titles produce 24% of store revenue. Action titles produce 19% of store revenue, and Drama produces 14%. Adult titles produce only 7% on national average (Story, 1990, October).

Given the data, it is clear to retailers what customers want. However, it is not that simple. There are numerous titles among the new releases and comedies, and a small to mid-size store cannot stock them all. The issue of how many copies a store should buy of each blockbuster is important for the small volume store. Once the film has been on the market for a month, it is no longer a hot new release, but the store still must get its return on investment through continued rentals. Think how many rentals it takes to recover the $73.50 for Red October. The first two weeks, a store might need a dozen copies to satisfy all customers; after that, one or two copies would be sufficient. This is a tricky balancing act, which most independent operators seem to do by intuition (Ferguson, L., 1992). Naturally, the studio distribution heads offer advice. Bill Mechanic, president of international theatrical distribution for Walt Disney Co., states that while he would take a "scientific" approach to retailing, "he would avoid robotic 'formula buying' that bases unit purchases on rigid measures of box office performance." He would stock a store on the basis of regional theatrical popularity, word of mouth, and film content, advising that "Earnest Goes to Jail is a lot bigger in some areas than in others" (Wallach, 1990, August, p. 56).

The Video Store magazine 1990 consumer survey noted that "The veteran VCR owner is relying more on new releases since many of the desired catalog titles have already been viewed." However, the survey showed encouraging figures indicating that consumers were willing to settle for second choices, perhaps less publicized new releases. The author recommended that store operators not overemphasize numerous copies of each new title. Instead, video stores need to promote their wide selection and to encourage alternate selections when block-buster titles are all checked out (Story, 1990, October). This approach is particularly important as specialty stores face competition from supermarkets and convenience stores. However, the 1990 survey is challenged by another survey conducted during January and February 1992 for the New England Video Software Dealers Association. The sample included 1828 responses in four New England states. Of those sampled, 64% of customers who were unable to rent the particular title they had in mind left without renting any title. Of the customers who had no particular title in mind, 56% left without renting (Buono, 1992).

From 1987 to 1991, the incidence of new release rentals rose from 41% to 69%, while the cost to retailers increased 25%, cutting profits. Only large specialty retailers can compete with supermarkets on a price basis, and industry analysts recommend that retailers market their wide selection and service (Burnside, 1992).

The Bifurcated Market

"Formula buying" may be unsuccessful for other reasons. While theater blockbusters are clearly the top renters, there are also markets for films which were less successful at the box office. Targeting teens can be effective. Don't Tell Mom the Babysitter's Dead earned as much in rental as it did at the box office. And You Thought Your Parents Were Weird in rental earned nearly ten times its box office (Story, 1992).

Another example is children's films in sellthrough. Some children's films may have greater success on video than in the theaters. This is one example of the bifurcated market: theatrical blockbusters as hit video releases contrasted with less successful theatrical releases which do well at video stores. An example is Fievel Goes West ($20 million at the box office) competing poorly for Christmas theater audiences with Beauty and the Beast ($120 million box office). On cassette, "Fievel" was released in March after several other Disney hits had run their course as rentals and sellthrough. This made "Fievel" (priced for sellthrough from $15-$25) a hit as the children's video movie of choice during the early spring (Times better for Fievel, 1992).

The New Media

Despite the recent leveling of the upward curve in movie rentals, a preference for viewing rental tapes over other forms of film distribution has been evident for several years. In a 1988 survey, respondents reported a preference for rentals compared to pay-per-view (PPV) or to theaters. Younger respondents favored rentals, and older respondents favored pay-per-view (Nmungwun, 1989).

To date, there is an economic advantage to the major distributors in selling to rental outlets instead of to pay-per-view operators. Rentals stores pay flat purchase prices and no further fees based on the number of times films are rented, but pay-per-view fees are based on the number of subscribers. This may make pay-per-view a major competitor for the rental and sellthrough industry as PPV grows. There are approximately 17.5 million pay-per-view homes, one third of all cable households (Video store, watch out, 1991). So far, the rental industry is more lucrative for the distributors, with prerecorded video sales generating as much revenue as the theater box office (Komiya, 1990; New York PPV test, 1991).

Laserdiscs offer opportunities for rental and sellthrough. Household penetration of laserdisc players is growing, anticipating one million households by fall, but distribution is a problem. Consumers bought more than nine million discs in 1991. Although Pioneer, Sony, and Warner Bros. opened new laserdisc pressing facilities, they have been insufficient to fill retailers' back orders. While cassette tape production and distribution is efficient, laserdisc manufacturers wait until they have large orders before going into production (Wallach, 1992).

The extent to which VCR rental viewing has cut into cable and broadcast viewing is an issue to be considered in further research. However, it is worth noting that the 1990 Roper study, "The Public Pulse," suggests that VCR use may have a positive side effect for all television. "By giving viewers greater control, and allowing them to be more selective, VCRs encourage more active viewing involvement in television, and, in turn, this produces higher levels of viewer satisfaction. In effect, this growing contentment will lead to the overall perception of increasingly higher television quality" (VCR-induced market trends, 1990). A 1987 study in Toledo, Ohio, also suggested that the longer a viewer had owned a VCR, the more positive the attitudes toward TV in general including watching and recording network programs (Klopfenstein, Spears & Ferguson, 1991). A study conducted in spring 1990 showed that VCR owners view a greater number of channels than do non-VCR owners (Ferguson, D.A., 1992). Given viewer control and selection of preferred content, according to Kubey and Csikszentmihalyi (1990, p. 97), "the overall experience of television among households with VCRs has almost certainly improved." While zipping is less an issue with rentals, one illustration of "control" through the use of remote controls when viewing rental films is the fast forwarding through promotional materials and commercials at the heads of tapes (Krugman, Shamp, & Johnson, 1991).

Conclusions

What does all this imply for the consumer? Is the industry in a decline that will affect viewers either in their choice or the cost they must pay? The decline is primarily a matter of leveling off of double-digit annual percentage increases in store revenue which was the norm during the 1980s. In what ways might this affect consumers? There are fewer small, independent specialty video stores now than in the boom period. This may be assumed to limit consumer choice. If independents are taken over and pushed out by chains, one assumption is that chains will all stock similar titles, relying heavily on block-buster new releases and on sellthrough. However, as illustrated by Video Vault, some entrepreneurs are seeking niches. Among these niches may be alternative titles to those available in most chain outlets.

What is clear in the trade press is that marginally financed stores are dropping out of the competition; this is why there are fewer specialty stores today and why there are more non-specialty stores renting videos. The small to mid-size stores which have been in business long enough to build their stock, to have a loyal clientele, and to learn sound management practices can weather the competition and the economic slow-down. These independents also have become aware of promotion and advertising. They position themselves as offering better service, and they demand that their distributors supply point-of-purchase promotion in the form of posters and stand-alone displays. The more aggressive stores will remodel to make the specialty store an interesting place in which to browse. If they accept the suggestion from the industry annual survey, they will maintain a broad selection in addition to holding a reasonable number of each blockbuster title, so that consumers can find a substitute when all the copies of Terminator 2 have been checked out.

At first glance, the higher prices for some sellthrough releases and the decline in the number of specialty stores may seem discouraging for the consumer. On the other hand, the better managed stores may seek niches which in time will give all consumers better choices and true alternatives.

To date the threat of chain stores absorbing independents has not materialized, and some chains are, themselves, in financial trouble. Competition from pay-per-view movies on cable looms, but so far has limited household penetration and little effect. Despite the shakeout in the retail industry, it continues to serve the needs of film distributors and consumers.

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The Founding of IRE and the Practice of Investigative Journalism

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The Founding of IRE and the Practice of Investigative Journalism

Investigative reporting in America began long before the founding of Investigative Reporters and Editors (IRE) -- the national service organization established in the mid-1970s for investigative reporters and editors. The strong tradition of American investigative reporting has been traced as far back as the Colonial era.[1] In addition, historians have written extensively on the Muckraking Era of the late 19th and early 20th centuries in America, when investigative journalism was fully integrated into American political life through its alliance with the Progressives and made fortunes for magazine publishers who enlarged mass circulation audiences by publishing muckraking reports from Ida Tarbell, Lincoln Steffens, Ray Stannard Baker, and others.[2] Researchers also have documented the resurrection of investigative reporting following the journalistic successes in exposing the Watergate scandal during the Nixon administration in the early 1970s.[3]

But even as it was praised, investigative reporting remained an unfocused activity as late as the mid-1970s. Even among journalists, uncertainty remained about whether investigative journalism was different from other forms of journalism; whether, in other words, investigative journalism was a separate journalistic genre or an unnecessary label attached to what had always been just good, solid reporting.[4] Textbooks, trade books, and theses were published on investigative reporting and reporters during the mid-1970s, but while they focus on this particular type of reporting, they usually waver when they define the activity. "Investigative reporting differs from routine reporting mainly in degree of thoroughness," one 1978 text insists. "While all reporting utilizes the same basic tools (questions, interviews, research), these weapons are wielded more skillfully for an investigative piece."[5]

To use terminology proposed a decade later in the 1980s by philosopher Alasdair MacIntyre, journalists and scholars in the early and mid-1970s were, in essence, asking whether investigative journalism was a distinct "social practice." It is a question that remains relevant in the 1990s and one that can be answered now with more precision because of MacIntyre's work.[6]

MacIntyre defines a social practice as a coherent, complex, cooperative human activity in a social setting. He says that members of the practice obtain goods that are specific to the practice by carrying out activities in the pursuit of standards of excellence. These standards of excellence are appropriate to and partially definitive of the practice. MacIntyre argues that a social practice develops and is sustained through the efforts of practitioners to meet and extend the practice's standards of excellence.[7] The key here is the contention that a distinct social practice has goods and standards of excellence that are specific to it, and that individual practitioners cooperate to obtain the goods, meet and extend the standards of excellence, and advance the practice.

This paper shows that prior to the founding of IRE in the mid-1970s, investigative journalism did not meet MacIntyre's test for being a distinct social practice. Then it shows that the founding of IRE in late 1975, however, in and of itself established the foundation for the development of investigative journalism into a social practice. This paper will not attempt to answer the considerably more complicated question of whether investigative journalism has in fact by the 1990s flly developed into a social practice. That question would require extensive research and space that is beyond the reach of this paper. However, the paper shows that a small group of investigative reporters and editors, who in late 1975 saw a need to organize investigative journalists on a national scale so that the craft could advance and thrive, laid the basis for investigative journalism to become a distinct social practice. In other words, to the extent that modern investigative reporting in the United States can be considered a social practice as defined by MacIntyre, the establishment of IRE was pivotal.

The Modern Investigative Tradition

Before the mid-1970s, investigative journalism was a solitary, individualistic pursuit.

The extent of this solitary, individualistic nature can be seen in the biographies, autobiographies, and other accounts of investigative journalism published in the mid-1970s. Political reporter Jack Anderson, for example, published his autobiography in 1973 under the title of *The Anderson Papers*, emphasizing his solitary role as an investigator.[8] Reporter Joe Eszterhas profiled investigative reporter Seymour M. Hersh for *Rolling Stone* magazine and called him "the toughest reporter in America" -- like Anderson, picturing the investigative reporter as a lone operator.[9] And James H. Dygert published a book about individual investigative journalists, *The Investigative Journalist: Folk Heroes of a New Era*.[10] The authors of these works and others, made little reference to investigative journalism as a unique subgenre within the broader category of journalism with its own unique set of standards and skills.[11] Instead, they heralded the individual reporter as a lone hero gunning for the bad guys.

The myth that developed around the lone investigative reporter is recounted by Benjaminson and Anderson in a text on the craft:

> Everybody knows what an investigative reporter is. He's the guy with the dangling cigarette, the grim visage, the belted trench coat, and the snap-brim fedora. He slinks in and out of phone booths, talks

> out of the side of his mouth, and ignores other, lesser reporters.
>
> He never had to learn his trade. He was born to it. He sprung from his mother's womb clutching a dog-eared address book and his real father's birth certificate. He has an interminable list of contacts. His job consists largely of calling the contacts and saying 'Gimme the dope.' . . . He appears in the city room only every two or three months to drop his copy on the desks of his astonished editors, mumble a few words, and disappear again into the night.[12]

Anyone who has watched any television serial about a hero investigative reporter will recognize this description.[13]

This image is not to say that teams of investigative journalists did not exist. Indeed, Francke documented the late 19th-Century use of investigative reporting teams by Frank Leslie, editor of *Leslie's Weekly*, and by *The New York Times* and *The St. Louis Post-Dispatch*.[14] And the stars of Watergate in the early 1970s were Bob Woodward and Carl Bernstein, a team some referred to as "Woodstein."[15] But these teams were individualistic in that each team worked for a single newspaper or news organization and rarely communicated with muckrakers or investigative reporters beyond those on their own staff concerning story leads, background information, reporting techniques, or other issues relating to the craft of ferreting out corruption and malfeasance.

To be sure, classes in journalism schools taught the skills of investigative journalism, and some professional organizations offered workshops on investigative journalism.[16] But investigative journalism remained defined, like environmental reporting, travel reporting, and political reporting, as a type of journalism, a "beat" within journalism, and not clearly a journalistic genre. A conference on public affairs reporting in 1973 was electrified by the investigations of the Watergate scandal, and the speakers preached that investigative reporting was a reporter's "highest calling."[17] But the conference participants viewed investigative reporting as an extension of public affairs reporting, as reporting that beat reporters did while covering the state legislature, the environment, and education.[18] Two years later, at another conference called to assess the "lessons of Watergate," investigative reporter Joe Heaney of *The Boston Herald-American* suggested that all reporters should be recognized as investigative reporters.[19] And Robert Maynard, editorial writer for *The Washington Post*, urged his colleagues not to "get caught up in the business of thinking in terms of investigative reporters and the rest of us. I'm worried about the mystique of the term -- it's what all of us are supposed to be all the time."[20]

At the height of the resurgence of investigative reporting after Watergate, even as scholars were rushing to study the work of early 20th-Century muckrakers to unearth the roots of investigative reporting and prove a continuous history of the craft,[21] and even as popular writers were declaring investigative reporters as the new American heroes, many journalists drew no clear distinction between what investigative reporters did and what all reporters did.

Lurking beneath this mythic vision of the investigative reporter as individual and folk hero, as well as the seemingly contradictory but ultimately compatible notion that investigative journalism is not a unique genre, is an institutional bias. Investigative reporting is seen as a product of a news organization staffed by individual journalists, not as the product of those individual journalists. For example, the main theme of one seminar on expose' writing in 1973 that was reported by the trade press is that management is key to investigative reporting.[22] Speakers, including the head of investigative teams for *The Los Angeles Times* and *The Riverside (Calif.) Press-Enterprise*, stressed that all newspapers, whatever their sizes, can do investigations if management commits to it and assigns the necessary staff -- any staff -- to it. No special skills, knowledge, or training is required. If all reporters are investigative reporters, then investigative reporters do nothing unique. Investigative journalism is not a genre in this view, but an extension of routine public affairs reporting.

The tension between the dominance of the institution and autonomy of the individual journalist that has been discussed by Boylan and others applies equally to the relationship between management and investigative journalists.[23] Without a community of investigative journalists outside the institutional structure of the news media, the fate of the craft remains determined by the institutions, a factor that MacIntyre insists is detrimental to development of social practice, as will be explained later. Without a focus on the genre, without recognition that investigative journalism is in fact a genre requiring specialized skills and producing stories and series of a different character than other journalism, no systematic development of the craft is possible.

The Founding of IRE

Perhaps the best indication of the lack of community among investigative reporters during the early 1970s comes from the founders of IRE. Records show that frustrations with feelings of isolation and the perception that a national organization could enhance the practice of investigative journalism were key motivating factors in the founding of IRE.

In 1973, Harley R. Bierce and Myrta J. Pulliam were members of the new investigative team at *The Indianapolis Star*. Along with Richard E. Cady and William Anderson, the two other members of the team, they began as their first investigative project for the *Star* a six-month investigation of Indianapolis' police department. The team uncovered bribery, extortion, and thievery by police in Indianapolis and won a Pulitzer and other prizes.[24] In subsequent reporting to its February 1974 series, the team attempted to report on nationwide police corruption. This larger project germinated the seeds for a national organization of investigative journalists.

Bierce and Pulliam, while working on the national police corruption story, experienced first-hand the limitations on skill and knowledge facing investigative reporters embarking on a new investigation. The lack of reliable contacts among reporters across the United States proved to be a detriment. They perceived that a network of reporters willing to help one another would simplify the reporting of stories that were not confined to a single locale.[25] Consequently, they began discussing the usefulness of a national service organization for investigative reporters.

That discussion culminated in a $5,000 grant from the Lilly Endowment; a 1975 organizational meeting in Reston, Virginia; and the creation of a steering committee composed of some of the better-known names in investigative journalism, including syndicated columnist Jack Anderson, David Burnham of *The New York Times*, Len Downie of *The Washington Post*, and Jack Landau of Newhouse News Service. The steering committee's charge was to explore further the interest in a national organization and to plan a national conference, during which the national organization could be established. In addition, the early organizers created an executive committee comprised of Robert Peirce of *The St. Louis Globe-Democrat*; Ronald Koziol of *The Chicago Tribune*; Paul Williams, journalism professor and former editor of *The*

Omaha Sun; Pulliam and Bierce of Indianapolis; Edward O. DeLaney, an Indianapolis attorney; and Robert Friedly of Indianapolis, director of communications for the Christian Church, Disciples of Christ.[26]

Among the conclusions reached during the Reston organizational meeting were that reporters on investigative assignment can benefit by sharing their information and ideas and that the channel for this sharing could be through a service organization that would provide an annual national meeting, a national directory, a newsletter, and a databank of published investigative stories.[27] In an organizational letter sent to prospective members, Harley Bierce elaborated on the goals of the new organization: "We believe an organization providing useful services could be beneficial; it could make us [investigative reporters] more efficient, more successful[,] and reduce costs."[28] He pointed out that one major goal of the organization would be to find a way to identify and encourage "standards that should be upheld."[29]

Organizers of IRE expressed early concern that the definition of investigative reporting should be as broad as possible.[30] While some would argue that the definition ultimately adopted by the organization is not broad enough, it helps to clarify the meaning of "investigative journalist" and serves as an internationally recognized definition. IRE, adopting a definition written by Robert Greene of *Newsday*, defines an investigative story as one that results from the initiative and personal work of a reporter (i.e. one that does not result from an investigation by law enforcement or other institutions); that concerns a matter of importance to readers/viewers; and that reveals information that someone or some organization wants to keep secret.[31] While the definition remains controversial, particularly its emphasis on expose' of secrets, it represents the first time investigative journalists established an official and generally agreed-upon definition of their craft.

IRE was incorporated in 1975 as a nonprofit educational organization. Its first national conference was held in Indianapolis, Indiana, June 18-20, 1976. During the conference, IRE members approved a proposal to locate an IRE resource center at Ohio State University in Columbus, Ohio, where IRE founding member Paul Williams taught journalism. Williams' death in October 1976, however, apparently quashed the association between IRE and Ohio State. Consequently, the executive committee sought another site for IRE offices. Proposals came from two universities in 1978: Boston University and the University of Missouri-Columbia.[32]

UMC School of Journalism Dean Roy M. Fisher, in proposing his school as the IRE headquarters, stressed the school's tradition of service to professional journalists, and its 20-year affiliation with the Freedom of Information Center.[33] He also attempted to quiet the fears of IRE President (later, Chairman) Robert Greene of *Newsday* that IRE would get "overshadowed" by other UMC School of

Journalism programs and that locating at Columbia, Missouri, would isolate the organization from urban centers outside the Midwest.[34] At the June 1978 IRE board meeting and annual meeting, The University of Missouri was chosen over Boston University for the new IRE headquarters site, and investigative reporter John Ullmann was named executive director.[35] The vote by the membership was unanimous.

Fostering Cooperation Among Journalists

Facilitating cooperation among investigative journalists was a primary goal of IRE from the beginning. In a letter to anticipated participants of the Reston, Virginia, organizing meeting, Pulliam and Bierce stressed this goal: "Because areas which require investigative reporting are complex, reporters can save time by learning techniques and procedures used by colleagues. Awareness of outstanding models of investigative reporting can help reporters make their work more reliable and more useful to the public."[36] They point out cooperation among investigative reporters could provide a way for reporters to follow leads that require investigation outside their immediate geographical area, could help reporters avoid damaging pitfalls and costly mistakes, and could help reporters learn skills for doing particular types of stories.[37]

The services established once IRE was formed reflect this concern for cooperation: Staff members established a resource file of examples of investigative reports, compiled a directory of investigative reporters and editors, created a newsletter to foster communication among members, and planned annual national conferences as a way for reporters to get to know one another and to exchange information.[38] Later, the organization published a handbook to share skills information, founded *The IRE Journal* for communicating nuts-and-bolts information about investigations and promote dialogue on ethics and other substantive issues, and established a contest to award the best investigative stories published and broadcast each year to encourage high standards among practitioners.[39]

Moreover, the organization dramatically underscored its commitment to cooperation among journalists in the summer of 1976, when it embarked upon what would come to be called the Arizona Project. The project, undertaken within months of the organization's founding, was IRE's response to the murder of one of its members, investigative reporter Don Bolles of Phoenix, Arizona. Bolles died from injuries suffered when a bomb exploded beneath his car in June 1976. He had been lured to his death by a man with ties to organized crime who promised him information on corruption among Arizona's land developers, dog race track operators, and politicians. John Adamson pled guilty to the crime and is serving a prison term. The people who hired him to kill

Bolles were never conclusively identified or punished and the reasons behind the killing have never been satisfactorily revealed.[40]

IRE members viewed the killing as an assault on free press rights since it appeared to be an attempt to prevent Bolles from reporting something he knew or to punish him for stories he already had published.[41] They determined to show organized crime and others that reporters could not be silenced through violence or threats of violence.[42] The way to show that, they reasoned, was through a joint effort involving reporters from throughout the country.

IRE organized a team of investigative reporters that investigated corruption among politicians and business persons in Arizona -- in essence, finishing the work that Bolles was killed doing. Funded through donations from an organization of Arizona business and industry leaders and from news organizations throughout the nation, the team was headed by *Newsday* editor and investigative reporter Robert Greene. The team also included about 50 reporters and editors from Indianapolis; Detroit; Chicago; Boston; Kansas City; Denver; Riverside, California; Eugene, Oregon; Washington, D.C.; Miami; and various cities in Arizona, among other locations around the nation.[43] Some worked a week or two, others worked with the team for the duration of the project. After three months of investigation, the team produced nearly 80,000 words of copy detailing corruption in Arizona.[44]

Never before had reporters from different news organizations worked together in a noncompetitive situation to produce a single report.[45] IRE had pioneered a new concept in investigative reporting: direct cooperation among reporters.

In an article previewing the March 1977 series on Arizona distributed by IRE, Tom Collins of *Newsday* called the project "an unusual experiment in collective journalism."[46] Team members told Collins that the reporters worked closely and without ego clashes. "Cooperation has been tremendous," Jack Driscoll of *The Boston Globe* told Collins.[47]

Establishment of a Social Practice

This desire to foster cooperation, to create a cohesion among the nation's investigative journalists, is critical to the development of investigative journalism as a social practice.

MacIntyre maintains that cooperation is key to furtherance of a practice:

> . . . [G]oods can only be achieved by subordinating ourselves to the best standard so far achieved, and that entails subordinating ourselves within the practice in our relationship to other practitioners. . . .Every practice requires a certain kind of relationship between those who participate in it.[48]

L. Gregory Jones, writing on MacIntyre's notion of community, says this relationship among members of a practice is a "communion that exists through the time spent

. . . sharing in practices."[49] Out of this shared communion comes "a shared vision of and understanding of goods," according to MacIntyre.[50]

The notion of goods internal to a practice, in contrast to goods external to a practice, forms an important component of MacIntyre's definition of a social practice. In his definition of a social practice, MacIntyre asserts that members of a practice carry out activities "through which goods internal to that form of activity are realised (sic) in the course of trying to achieve those standards of excellence which are definitive of that form of activity."[51] Journalism professor Edmund Lambeth has pointed out that among journalists, internal goods would include telling the truth and telling the whole story.[52] Using the definition of investigative reporting established by IRE, one can identify additional internal goods specific to investigative journalism, including the generation of knowledge or information on one's own rather than relying on a government agency or other institution to reveal it; the revelation of information that is important for the public to know, i.e. telling stories that have significant impact on people's lives or on society generally; and the uncovering of information that has been hidden by institutions or people.[53]

Prior to the formation of IRE, no formal means of identifying and reaffirming internal goods to investigative journalism existed, for, as MacIntyre points out, it is only through communion that goods can be decided upon.[54] MacIntyre stresses that the central bond of a community -- in this case, a community of investigative reporters and editors -- is a "shared vision of and understanding of goods."[55] He refers to the "cooperative care for common goods of the practice."[56] IRE, through its annual meetings, regional conferences, establishment of a clear definition of investigative journalism, and its annual contest, generates a continuing dialogue among practitioners about the internal goods of the craft.

Without an independent service organization that generates community beyond the institutions -- in this case, the news organizations that employ the investigative journalists -- a craft remains susceptible to the trappings of the external goods which MacIntyre identifies as those goods which inhibit moral development of a craft, goods such as celebrity, power, and money. "Institutions are characteristically and necessarily concerned with what I have called external goods," MacIntyre asserts. "Without justice, courage[,] and truthfulness, practices could not resist the corrupting power of institutions."[57]

MacIntyre also requires of a social practice that it be imbued with a history, a tradition:

> Practices of course . . . have a history. . . . We have to learn to recognize what is due to whom. . . . To enter into a practice is to enter into a relationship not only with its contemporary practitioners, but also with those who have preceded us in the practice,

> particularly those whose achievements extended the reach of the practice to its present point.[58]

Prior to establishment of IRE, there was no readily accessible depository of investigative journalism reports, both printed and broadcast. In essence, IRE has documented the history of investigative journalism since its establishment through its maintenance of an "investigator's morgue," which contains examples of investigative journalism done in the United States. This library of data, in addition to the educational seminars held during regional and national meetings, and its publications, provides investigative journalists with a continuing dialogue with the past of their practice. The library and the seminars provides a means to "recognize what is due to whom."[59]

MacIntyre's definition of a practice also requires that practitioners establish and maintain standards of excellence, and when one enters a practice he or she must "accept the authority of those standards" and be willing to have one's own work judged in relation to those standards.[60] IRE, through its awards presentations, its seminars, and its publications, teaches, assesses, and rewrites the standards of excellence for investigative reporting. Prior to IRE, some standards existed, of course. They were mainly standards applied to all journalism -- accuracy and clarity, to name two -- and there was no mechanism for forging agreement or improvement of standards for investigative journalism. There was no "official" standards in that they were not sanctioned by a national organization dedicated to the improvement and maintenance of the craft.

At IRE's first national conference in 1976, however, the program was designed to educate investigative journalists on standards of excellence in addition to specific skills. Workshops on "The State of the Art of Investigative Reporting," "Doing the Job Ethically," and "Responsible Alternative Media," were provided along with skills-based workshops on "Precision Journalism," Investigative Interviewing," and "Investigative Teamwork."[61] From the beginning, the identification and promotion of standards of excellence was listed as a goal.[62]

Conclusion

MacIntyre's concept of a social practice provides an objective standard as well as a blueprint for the systematic moral development of a profession or craft. He has identified the means by which practitioners of a particular profession or craft can maintain and extend their profession or craft in a positive manner. His concept of a social practice also offers a critical standard by which to judge the performance of a profession or craft. Jones is correct when he asserts that MacIntyre's concept of a social practice implies a moral connection to the larger social structure, or, as Jones terms it, the community.[63] MacIntyre points out that a community is composed of practices that sustain that community.[64] If the community, in this case a city or even the entire country, is to benefit from a practice, then the behavior of practices, in this case investigative journalism, must be directed at achieving and maintaining a level of performance dedicated to the benefit of the community.

If investigative journalism is to be a positive force in society, it must be a social practice wherein its internal goods are systematically achieved, maintained, and extended. IRE has created the groundwork for establishing investigative journalism as such a practice. Without IRE, investigative journalism would have remained unorganized and fragmentary, struggling for definition and for its place within journalism. With IRE, investigative journalists form a community that has the potential of systematically developing for the benefit of society and journalism.

Notes

[1] For a discussion of the tradition of investigative journalism prior to the 1970s, see Walter M. Brasch, *Forerunners of Revolution: Muckrakers and the American Social Conscience* (Lanham, Md.: University Press of America, 1990), 3-131; Louis Filler, *Progressivism and Muckraking* (New York: R.R. Bowker Co., 1976); Warren Theodore Francke, "Investigative Exposure in the Nineteenth Century: The Journalistic Heritage of the Muckrakers" (Ph.D. diss., University of Minnesota, 1974); and John M. Harrison and Harry H. Stein, eds., *Muckraking: Past, Present and Future* (University Park, Pa.: Pennsylvania State University Press, 1973).

[2] See particularly Harry Stein, "American Muckrakers and Muckraking: The 50-year Scholarship," *Journalism Quarterly*, 56:1, Spring 1979, 9-17; Franke, "Investigative Exposure"; Harrison and Stein, *Muckraking*; Brasch, *Forerunners*; Filler, *Progressivism and Muckraking*; David Mark Chambers, *The Muckraking Years* (Huntington, N.Y.: Robert E. Krieger Publishing, 1980); Arthur and Lila Weinberg, *The Muckrakers* (New York: Capricorn Books, 1964); Harvey Swados, *Years of Conscience* (Cleveland: Meridian Books, 1962); C.C. Regier, *the Era of the Muckrakers* (Gloucester: Peter Smith, 1957; originally University of North Carolina Press, 1932);.and Robert Miraldi, *Muckraking and Objectivity: Journalism's Colliding Traditions* (New York: Greenwood Press, 1990), 1-80.

[3] See particularly James H. Dygert, *The Investigative Journalist: Folk Heroes of a New Era* (Englewood Cliffs, N.J.: Prentice-Hall, 1976); John C. Behrens, *The Typewriter Guerrillas: Closeups of 20 Top Investigative Reporters* (Chicago: Nelson-Hall, 1977); Miraldi, *Muckraking and Objectivity*, 81-165; Walter Lubars and John Wicklein, eds., *Investigative Reporting: The Lessons of Watergate* (Boston: Boston University School of Public Communication, 1975); and Leonard Downie Jr., *The New Muckrakers* (New York: New American, 1976).

[4] Paul Williams relates the following story in the introduction to his textbook, *Investigative Reporting and Editing* (Englewood Cliffs, N.J.: Prentice-Hall, 1978) xi: "One of my oldest newspaper friends wrote to me after he heard I was teaching investigative reporting and asked: 'What's the difference between investigative reporting and just good reporting?' I was to hear a dozen variations of his question as I worked on this book."

[5] Judith Bolch and Kay Miller, *Investigative and In-Depth Reporting* (New York: Hastings House, 1978) 2.

[6] Alasdair MacIntyre, *After Virtue: A Study in Moral Theory* (Notre Dame, Ind.: University of Notre Dame Press, 1981), 169-209.

[7] *Ibid.*, 175.

[8] Jack Anderson, *The Anderson Papers* (New York: Random House, 1973).

[9] Joe Eszterhas, "The Toughest Reporter in America," *Rolling Stone*, 1975.

[10] Dygert, *Investigative Journalist.*

[11] See also: Behrens, *Typewriter Guerrillas;* and Weinberg and Weinberg, *New Muckrakers.*

[12] Peter Benjaminson and David Anderson, *Investigative Reporting* 2nd Ed. (Ames, Iowa: Iowa University Press, 1990) 3.

[13] For example, in 1977, CBS launched "The Andros Targets," modeled after the exploits of Nicholas Gage of *The New York Times.* The show was roundly criticized, even by Gage, as being unrealisticly dramatic. See, Jimmy Breslin, "Breslin Walks Andros Beat: Reporter Show Found Lacking By Vet of Saloon Interview. Oh, what the script left out!" *[MORE]*, April 1977, 48-49.

[14] Warren T. Francke, "Team Investigation in the 19th Century: Sunday Sacrifices by the Reporting Corps," unpublished paper presented to AEJMC annual convention, 1988.

[15] Downie, *New Muckrakers*, 1-53.

[16] Williams, *Investigative Reporting*, x-xiii; Carey McWilliams, "The Continuing Tradition of Reform Journalism," in Harrison and Stein, *Muckraking*, 129.

[17] Bill Freivogel, "Public Affairs Reporting Assessed at Press Meeting," *Editor and Publisher*, 106, Nov. 3, 1973, 7.

[18] *Ibid.*

[19] Bill Kirtz, "Investigative Reporters Relate How They Operate," *Editor and Publisher*, 108, May 3, 1975, 24.

[20] *Ibid.*

[21] See Note 2.

[22] Campbell Watson, "Size Termed Unessential for Exposes," *Editor and Publisher*, 101, June 1, 1968, 48.

[23] James Boylan, "Declarations of Independence: A Historian Relects on an Era in Which Reporters Rose Up to Challenge -- and Change -- the Rules of the Game," *Columbia Journalism Review*, November/December 1986, 29-45.

[24] Dygert, *Investigative Journalist*, 233.

[25] "Investigative Reporters Form Own Service Association," *Editor and Publisher*, March 8, 1975, 10; Harley R. Bierce to J. Montgomery Curtis, February 6, 1975, letter tabbed "organizational letter," IRE files, IRE headquarters, University of Missouri-Columbia School of Journalism.

[26] Myrta Pulliam, et al., "Report to Lilly Endowment, Inc.," March 12, 1975, IRE files tabbed as "Minutes from IRE original meeting in Reston." Robert L. Friedly resigned from IRE executive committee May 28, 1976, "in the interest of IRE's being exclusively a reporter-editor organization and with the understanding that the church's role essentially was that of a repository for funds during the pre-incorporation period. We feel we have fulfilled our role." (Friedly to Pulliam, May 28, 1976, IRE files).

[27] Pulliam, et al., "Report to Lilly Endowment."

[28] Bierce to Curtis, March 12, 1975.

[29] *Ibid.*

[30] Pulliam and Bierce to Stu McDonald, American Newspaper Publisher's Association, February 13, 1975, IRE files; Friedly to Pulliam, May 28, 1976; Ron Koziol and Bob Peirce, IRE membership committee, draft of membership solicitation letter, undated, IRE files; and "IRE - Background," informational flyer handed out at first IRE conference, 1976, IRE files.

[31] John Ullmann to IRE board members, May 30, 1979, IRE files tabbed as "1979 Original awards criteria."

[32] Jack Nelson to IRE board members, May 28, 1978, IRE files.

[33] Roy M. Fisher, UMC School of Journalism dean, to Robert Greene, May 9, 1978, IRE files.

[34] *Ibid.*

[35] Jack Nelson to John Ullmann, June 29, 1978, IRE files.

[36] Pulliam and Bierce to McDonald, February 13, 1975.

[37] *Ibid.*

[38] Gerald B. Healey, "Data Center Established by Investigative Group," *Editor and Publisher*, June 26, 1976; Richard E. Cady, "Investigators Near Goals Despite Controversy," *Indianapolis Star*, April 9, 1978, sec. 5, p. 1; Jim Polk to IRE President Jerry Uhrhammer, August 27, 1981, IRE files; and see generally "The IRE Front Page" newsletter, particularly vol. 2, no. 1 and vol. 3, no. 3, IRE files.

[39] Ullmann to IRE board members, May 30, 1979.

[40] See generally for an account of the Arizona Project, Michael F. Wendland, *The Arizona Project* (Mesa, Ariz.: Blue Sky Press, 1988 revised edition); Al Senia, "The Arizona Project," *The Quill*, July/August 1978, 10-28; and Clark R. Mollenhoff, *Investigative Reporting* (New York: Macmillan, 1981) 339-349.

[41] Wendland, *Arizona Project*, 25-36; John Consoli, "IRE Execs Vow: No More Collective Investigations," *Editor and Publisher*, March 26, 1977, p. 12.

[42] *Ibid.*

[43] Wendland, *Arizona Project*, 37-53; and Tom Collins, "Uniting Journalists for a Common Cause," in Brasch, *Forerunners of Revolution*, 170-177.

[44] Collins, "Uniting Journalists," 171; the entire series was reprinted in tabloid format by IRE as "The Arizona Project: Repint of a 1977 Series," 1977.

[45] Mollenhoff, *Investigative Reporting*, 340; Collins, "Uniting Journalists," 171. Mollenhoff notes that an informal organization of reporters had been formed in 1950 to foster cooperation for the reporting of information revealed by the Kefauver Crime Committee investigation and others were informally formed around labor racket inquiries by Congress in 1957, 1958 and 1959 (*Investigative Reporting*, 340). However, while reporters shared information, other types of cooperation, including the writing of a single story or series of stories based on cooperative reporting, were not done.

[46] Collins, "Uniting Journalists," 170.

[47] *Ibid.*, 172.

[48] MacIntyre, *After Virtue*, 178.

[49] L. Gregory Jones, "Alasdair MacIntyre on Narrative, Community, and The Moral Life," *Modern Theology*, 4:1, 1987, 63.

[50] Alasdair MacIntyre, *After Virtue: A Study in Moral Theory* (Notre Dame, Ind.: University of Notre Dame Press, 1984 [2nd edition]), 258, quoted in Jones, "MacIntyre," 63.

[51] MacIntyre, *After Virtue*, 175.

[52] Edmund Lambeth, "Waiting for a New St. Benedict: Alasdair MacIntyre & the Theory and Practice of Journalism," *Business & Professional Ethics Journal*, 9:1-2, 1990, 99-100.

[53] Ullmann to IRE board of directors, May 30, 1979.

[54] MacIntyre, 177-178.

[55] MacIntyre, *After Virtue*, 2nd edition, 258.

[56] MacIntyre, *After Virtue*, 181.

[57] *Ibid.*, 180.

[58] *Ibid.*, 177-181.

[59] Steve Weinberg and Jan Colbert, *The Investigative Journalist's Morgue*, (Columbia, Mo.: IRE, 1986). This is an index to the database of stories and is updated regularly. A new edition was published in 1991.

[60] MacIntyre, *After Virtue*, 177.

[61] "The IRE Program," June 18-20, 1976, tagged "First National Conference 1976," IRE files.

[62] "IRE - Background," 1976; Pulliam and Bierce to McDonald, February 13, 1975; and Bierce to Curtis, February 6, 1975.

[63] Jones, "MacIntyre," 63.

[64] MacIntyre, *After Virtue*, 175-177.

Should Executions Be Televised?

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INTRODUCTION

> "If the death penalty is such a high moral thing to do, then we should be able to look at it" -- Diann Rust-Tierney, Director of the Capital Punishment Project of the ACLU (quoted in Armstrong, 1991, p.4).

On April 24, 1992, Robert Alton Harris, a convicted killer of two San Diego teenagers, was executed in California's gas chamber at San Quentin prison. Harris' execution received a lot of media attention because his execution had been delayed by various "legal maneuvers" for over 13 years (Bishop, 1992). Largely unreported was the fact that the execution was videotaped by a freelance producer and investigator Russell Stetler who was commissioned by the American Civil Liberties Union (ACLU). The ACLU was authorized by Judge Marilyn Hall Patel for the Northern District of California court. The videotape, the first ever of an execution in the United States, is currently under seal at the Federal District Court in San Francisco (McClellan, 1992).

Harris' execution, the first in California in 25 years, received another spotlight in 1990 when a public television station KQED in San Francisco claimed that it had the First Amendment right to videotape and televise the execution which was scheduled in April 1990. The KQED case is different from the Stetler videotape because Judge Patel granted the ACLU's petition to videotape the execution as part of the evidence gathering process in an ACLU court case. The ACLU is trying to demonstrate that the gas chamber is a form of cruel and unusual punishment (McClellan, 1992). In other words, the grant was not given to a media organization for newsgathering purposes. Therefore, the question asked in the KQED case still remains. Do the media have a right to videotape an execution? More importantly, should executions be televised? This paper attempts to shed some light on the issue of televised executions by discussing the legal, social, and ethical issues of televised executions raised in the KQED case.

In January 1990, 11 years after he was sentenced to death, Harris was scheduled to be executed in April 1990. KQED was one of 16 media organizations chosen to witness the execution. Daniel Vasquez, the San Quentin prison warden, said reporters would be prohibited from using cameras, recording equipment, sketch pads, note pads, pens and pencils during the execution. However, in mid-March 1990, KQED asked to bring a camera to tape the execution and prison officials denied the request without an explanation. A request by The Recorder, a San Francisco legal newspaper, to bring in a still camera was also denied (Fost, 1991). In late March, Vasquez decided that no journalists would be allowed to witness future executions. The day before the execution, Harris received a stay so he could continue his appeal (KQED Barred, 1991). In early May of 1990, KQED filed a suit against Vasquez in U.S. District Court in San Francisco (KQED v. Vasquez, 1991) claiming that its First Amendment rights had been violated. Specifically, it contended that the First Amendment guarantees the press and the public a right to witness certain government proceedings. It also challenged the constitutionality of the rule prohibiting the broadcast media from using the "tools of the trade" (i.e., video cameras) when covering executions.

KQED's action drew support from many news organizations who filed legal briefs for the case.[1] It also rekindled the debate on televised executions. For example, the Los Angeles Times in its editorial argued that "the decision to not televise an execution is for the media to make, not the government" ("Government's Job," 1991, p. B6). Similarly, the New York Times argued it is not "the business of government to decide what is suitable television" ("Why Blindfold?," 1991, p. A24).

KQED was not the first legal challenge to the prohibition of cameras in executions. In 1976, Tony Garrett, a news reporter for a Dallas, Texas, television station requested permission of the Texas Department of Corrections to film the first execution of a prisoner to take place under Texas' new capital punishment statute. His request was denied and he challenged the decision. The U.S. District Court for the Northern District of Texas decided in favor of the reporter but the decision was overturned by the

5th Circuit Court of Appeals. It said that banning audio or visual recording of executions did not deny equal protection of law to a television reporter who sought to film executions (Garrett v. Estelle, 1977). In 1989, The State of Washington Supreme Court also dismissed the petition filed by Brian Halquist, an independent producer of radio and television documentaries, who argued that he had a right under the Washington Constitution to videotape an execution (Halquist v. Washington Department of Corrections, 1989).

Should the media (or any member of the public) have a right to videotape an execution? The current law says the media do not have a right to videotape executions. But, even if the right is granted, should executions be televised? Answers to this question are fundamentally ethical ones; therefore, the social and moral ramifications of televised executions must be evaluated.

THE FIRST AMENDMENT ISSUE

Who should have the access to witness executions? In California, for example, a law was passed in 1858 banning public executions (Hager, 1991), and gave wardens great leeway in selecting witnesses for an execution. Current California statues require the following persons to witness an execution: State officials (including the warden, two physicians, the attorney general, and six members of the prison staff), 12 "reputable" citizens chosen by the state, up to five more witnesses and two spiritual advisors chosen by the condemned. The press is not mentioned in the law, but tradition has permitted the governor's press secretary to choose news organizations to be present (LaBrecque, 1991). In the case of Harris' scheduled execution in 1990, the warden issued new regulation reducing the number of media witnesses from 25 to 14 to be chosen by the governor's press secretary, and later announced that no journalists would be allowed to witness future executions ("KQED Barred," 1991).

Public's Right to Know

The public's right to know in this case includes the most accurate information available about the application of the death penalty, including executions. The Death Penalty Focus of California, a citizen group opposing capital punishment, said, "if there must be executions, they should be televised" (quoted in Hager, 1991, p. A25). Indeed, the argument goes that the public must be informed about the death penalty process "from beginning to end" (*ibid.*) William Bennett Turner, attorney for KQED, asked "Should executions be held in secret in California, just as they are in totalitarian countries?" (*ibid.*). This right to know is particularly pertinent in California, where the death penalty was enacted through voter initiative (Smolowe, 1991). Television could provide a unique and "neutral" report which is not shaped by journalists. KQED argued:

> It is appropriate in a democratic society for citizens to be able to observe--not filtered through unaided,

> faulted or biases memories of witnesses handpicked by the government--the ultimate sanction of our criminal justice system. (LaBrecque, 1991, p. 34)

Richard Moran (1991) said, televised executions would force all of us to face directly the consequences of our decision to imosed the death penalty.

Media Access to Information

The court said that Vasquez's edict to exclude all press access to future executions was "more emotional than rational" (KQED v. Vasquez, 1991, p. 2325) and judged in favor of media organizations. However, the U.S. Supreme Court many years ago made it clear that the First Amendment did not guarantee the press a constitutional right of special access to information not available to the public generally (Branzburg v. Hayes, 1972).

This media access issue is not new to KQED. In 1978 KQED filed suit against the Santa Rita, California, jail after being denied access to the jail to cover a story about a prisoner's suicide. The case reached the U.S. Supreme Court, and it ruled that news media have no constitutional right of access to a county jail, over and above that of other persons (Houchins v. KQED, 1978).

KQED argued that it was important that broadcast journalists also be allowed to bring the tools of their trade (video cameras) to witness executions if print journalists were allowed to bring theirs (e.g., pen and paper). Additionally, KQED argued that television is a superior means of providing accurate information about the use of the gas chamber for executions. However, not everyone agreed. Staples (1991), for example, argues that pictures can be overrated--they are shocking only when the culture disavows the act being portrayed. When it comes to complex issues like the death penalty, reasoning is important, not pictures. Ellen McGarrahan, a Miami Herald reporter who has witnessed several executions, argues that "an execution is an incredibly intimate experience" which the camera could never capture (quoted in LaBrecque, 1991, p. 35).

Although it is true that the camera cannot capture all of the reality of an execution, it is also true that pictures do encompass details that would be missed by reporters. Any technology which increases the knowledge of the public is fulfilling a First Amendment function (Van Alstyne, 1984). Similarly, Munro (1989) argues that the use of "new" technology has always resulted in the spread of information, and the consequent freedom of human beings.

EFFECTS OF TELEVISED EXECUTIONS

The heart of the debate on televised executions is the question -- What could be the effects of televising executions in the American public's living room? According to McEnteer (1986), there are three theories. One, that public revulsion will lead to the abolition of the death penalty. Two, that the deterrent effect of the death penalty will be maximized by public executions. Three, that these public spectacles would brutalize the American public and that violence could increase in our society.

The Abolition Theory

Many people who favor televised executions do so in the hope that the public will abolish the death penalty if they see how horrible it is. When hangings were done in the public square, everyone knew what it meant to hang a human being. But in the last century, executions have been removed further and further from public view. In times past, executions were performed in prison courtyards. Today, death rooms are deep in the bowels of the prison, with the prisoner lodged just a few feet from the execution room. Executions are carried out by professionally trained teams of guards whose highest ambition is that they be carried out smoothly and without incident (Johnson, 1989).

Although most executions are without incident, there are exceptions. In 1960, the state of California gassed Caryl Chessman to death, and his last act was to jerk his head up and down violently to indicate to reporters that asphyxiation is painful (Quindlen, 1991). The former warden of San Quentin has testified that before a prisoner loses consciousness in the gas chamber, "there is evidence of extreme horror, pain, and strangling. The eyes pop. The skin turns purple and the victim begins to drool. It is a horrible sight" (Weisberb, 1991, p. 26).

The most horrible execution in recent years happened in 1990 to a man named Jesse Joseph Tafero in Florida. A synthetic sponge soaked in brine was placed on his head rather than a natural sponge usually available. The result was twelve-inch blue and orange flames sprouting from his head because the sponge obstructed the electrical flow, reducing the voltage from 2,000 to 100 volts. The electricity was started and stopped three different times, while the prisoner gasped for breath in between shocks (Weisberb, 1991, pp. 24 and 26). Without doubt, the man was tortured to death. Even lethal injection can go awry. When James Autry was killed in Texas in 1984, the needle was placed in a muscle rather than a vein, and so it took 10 minutes for him to die. For much of that time "he was conscious, moving about, and complaining of pain" (*ibid.*, p. 27). For reasons such as these many people hope televised executions will lead to the abolition of the death penalty.

In 1990, the Angolite, a Lousiana's award-winning inmate-run magazine, printed a photo of a badly burned head of Robert Wayne Williams who had been electrocuted. The photograph had been taken by Williams' family. The magazine did not help abolish the death penalty but it helped stop the use of electrocution as Lousiana's method of execution. Capital punishment in the state is now administered by lethal injection (Smith, 1991). Similarly, the ACLU intends to use the Harris' execution tape to stop the gas chamber method of execution in California (McClellan, 1992).

In 1977 executions were resumed in the United States and currently about 2,500 prisoners are under death sentences nationwide (Bishop, 1982, p. A1). However, as executions have lost their "novelty," news reports of "routine" executions no longer occupy prominent place in the national media. A recent Texas execution did not even draw the permitted number of reporters (Will, 1991). The result is a paradox: "As executions have become more numerous, they have become less visible" (Moran, 1991, p. B7).

The Deterrence Theory

Many supporters of the death penalty believe that public executions will deter crime, as criminals are forced to consider the consequences of their acts. And for executions to function as a deterrent, they must be visible. For this reason, Moran (1991) argues the exclusion of cameras undercuts the basis of death penalty's moral justification. Televised executions would provide a much needed test of the deterrent effects of capital punishment (Armstrong, 1991).

However, according to some studies, this deterrence theory does not seem to hold very well in real life. In 1959, two adjoining states were studied, one with the death penalty and one without. There was no significant statistical difference between the two in homicide rates (MeEnteer, 1986). In Texas during the 1980's, studies have been done to measure the homicide rate following heavily publicized executions. It has been found that murder rates do drop for a short period of time immediately after the execution, but that they actually increase over the longer term (*ibid.*). More recently, William C. Bailey's (1990) research found that execution publicity on television did not have deterrence effect on killings. According to Hugo Bedav, a death penalty expert at Tufts University, the deterrent theory would not work because two kinds of people are likely to commit capital crime: "the psychopath," and "the rational calculator," who believes he or she can get away with the crime (quoted in Armstrong. 1991, p. 4). They are not affected by execution publicity.

Furthermore, sometimes a "public" execution does not teach the lesson hoped for by society. Cooper (1974) tells of English hangings where sympathy for the condemned caused massive public riots and many times the executioners received death threats. If the condemned died bravely, often times witnesses drew conclusions other than what the state intended by the lesson of public death. If the witnesses had sympathy for the criminal, the state rather than the criminal was often perceived as the "bad guy." This is not a desirable social effect. Harriet Salarno (1991), mother of a slain victim, argued that televised executions would give criminals "the last word," and would "compound the tragedy of violent crime by focusing attention on the method of punishment rather than the nature of the crime." She continued that televised executions would "garner sympathy for the criminal," and thereby slight the rights of victims and their families (p. B7). Indeed, televised executions might convey the society a "wrong" message: "The killer is the victim" (Thompson, 1992, p. F2).

The Brutalizing Effect

One potential effect of televised executions is that they would de-sensitize the public to violence. Although there is no doubt that the first few executions would create a considerable stir, it may be possible that repetitious broadcasts would de-sensitize television viewers. Would the public be horrified at the sight of death, or would graphic executions "kindle a disquieting Dickensian excitement"? (Smolowe, 1991, p. 59).

The brutalizing effects of public executions on society have been well documented in history. It is for precisely this reason that public executions were banned years ago. Cooper (1974) documents the incredible spectacles in England at public hangings. At one hanging in 1807, 45,000 spectators came to watch two men hang. The crowd was so dense that 27 people were crushed to death and over 100 persons were injured. Also in the United States, there were executions which were public spectacles. In 1936, more than 20,000 people gathered around a gallows in Owensboro, Kentucky, to watch the hanging of a rapist (Hager, 1991). In May 21, 1937 in Galena, Missouri, a man was hanged in a prison courtyard before a crowd of 500 witnesses, many of whom had paid admission to get in. The circus-like atmosphere was so seamy that public executions were quickly banned (McEnteer, 1986; Smolowe, 1991).

In the past few years rowdy crowds have gathered outside of prison walls to celebrate the execution of "famous" criminals such as Ted Bundy (Bearak, 1989; Gelman, 1989). The fact of "execution parties" or "carnivals" in the 1980's demonstrates the morbid and lurid effects of executions on some persons. On the eve of Harris' execution, a young man shouted at anti-capital punishment demonstrators outside the San Quentin Prison, wore a T-shirt saying "Gas Killer Harris," and carried a sign, "Thou shalt give life for life, eye for eye" (Bishop, 1992; Lewis, 1992). Public executions have always brought out the worst in people. The fact that violent movies and television have been found to lower the sensitivity of viewers to violence is indicative of what may happen with executions (Andison, 1976; Linz, 1984).

Televised executions would not require large crowds to gather and so the worst excesses of public executions would be avoided. But the execution would reach masses. Will televised executions brutalize the public? KQED claimed that public viewing of executions need not be considered extraordinary since the American public has already seen violent scenes such as John F. Kennedy's assassination, a beheading in the PBS documentary "The Death of a Princess," and an American hostage in Beirut hanging by the neck

(LaBrecque, 1991). One or two filmed executions presented in a comprehensive documentary about the death penalty may have little lasting impact on the American public. But the consequences of repeated televised executions might be alarming.

Another side of brutalizing effect is that televised executions may promote more crimes. Bailey's (1990) study, however, did not support such an argument.

ETHICAL CONSIDERATIONS

The tension between the public's right to know the "whole" truth about executions and the potential effects of televised executions cannot be resolved without considering other moral and ethical issues. KQED had promised that if the station were permitted to tape executions, its production crew would abide by the following conditions. First, the event would be taped rather than broadcast live with the identities of the guards electronically masked. Second, if the condemned objected to the broadcast, the station would not film it. Harris had given KQED permission to tape his execution. Third, the broadcast would be aired only late at night and be part of a comprehensive documentary about the death penalty. The station planned to broadcast two programs on the death penalty. One would discuss Harris' case from 1978 through the execution and the other would feature a debate on the death penalty (KQED Barred, 1991; LaBrecque, 1991). These conditions are based on the issues of security of prison officials, privacy of the condemned, and media sensationalism.

Security and Privacy

In Halquist v. Washington (1989), the State of Washington addressed four security and privacy concerns of videotaping executions: (1) the privacy of the staff and contracting parties who participate in the execution; (2) security in the penitentiary and execution chamber; (3) the inmate's residual right to privacy; and (4) the location of a video camera during the execution. If prisoners viewed televised executions, a riot might break out. Security threats to prison officials due to revelation of their identities on television is serious. KQED's promise to tape the execution and electronically mask the identity of the guards solves this legitimate security concern.

Another security risk issue is whether witnesses should bring objects to the observation area. The San Quentin warden initially prohibited even the use of note pads, pens, and pencils. The court struck down the rule saying "It's really hard to see that pencil and paper present any kind of an impediment or risk that justifies such a rule" (KQED v. Vasquez, 1991, p. 2324). However, it said that "the security of prison is something that . . . has to be left to the people who are responsible for dealing with the problems that arise if security is breached and prisons very jealously guard their right to maintain security (*ibid.*, p.

2326). So, when the prison officials said that any heavy objects such as video cameras pose threats because they might break the glass-enclosed gas chamber, the court let the expert opinion stand.

Does the condemned have the privacy right? Judge Schnacke of the KQED case indicated that a convicted murderer would not have any right to complain (Kaplan, 1991). The issue is beyond one of law. While KQED said it would broadcast an execution only if an inmate consented; other stations made no such promises (*ibid*).

Sensationalism

Jim Holtzman, news director of KFMB in San Diego said a televised execution is not "something that is under any public 'need to know'" doctrine (quoted in LaBrecque, 1991, p. 37). Some news directors question the journalistic relevance and the news value of televised executions. Gerald Uelmen, dean of Santa Clara University School of Law, said the televised executions would only send the message that "life is cheap and this is entertainment" (quoted in Armstrong, 1991, p. 4). One of the major concerns of knowledgeable reporters is the complexity of the death penalty. An execution is only the end of a long drawn out process. Unless executions were broadcast as part of a documentary discussing the crime committed and the criminal's background, the execution is only "a snapshot instead of the feature-length motion picture" (LaBrecque, 1991, p. 37).

To reduce sensationalism, the very motives of the reporters who cover executions must be questioned, because their biases determine how the story is reported. Detweiler (1987) identified three different perspectives of newsgathering for reporters covering an execution. Traditionals are comfortable with the *status quo* and generally adopt an attitude that nothing but strictly verifiable facts may be reported. Activists are reporters who seek change in the *status quo* and are comfortable in combining inferences with the facts in order to change current realities. Information gatherers are reporters who are interested in learning for learning's sake. Detweiler argued that balanced reporting requires the participation of all three reporter styles in the collection and editing of death penalty stories. Apparently, KQED did not want to be perceived as having an activist perspective because it publicly states that it did not have an agenda on the death penalty (Hager, 1991).

Many broadcasters oppose televised executions simply because if a station is required to make its tape available as a "pool" tape, there is no legal way to control how that tape is subsequently used. What if "tabloid television shows" decided to air the tape? "A Current Affair" has already expressed interest in securing access to the Harris' execution tape (McClellan, 1992). Although it is impossible to enforce moral responsibility on any journalist or television station, irresponsible broadcasting of an execution is a factor in the debate about televised executions.

The press in the past has sensationalized famous executions for monetary gain. In 1875, the Chicago Times announced the hanging of four persons under the headline "Jerked to Jesus" (McEnteer, 1986, p. 5). In 1928, the New York Daily News surreptitiously photographed the electrocution of Ruth Snyder and published the photograph on the front page the next day. The edition with Snyder's picture sold one million extra copies (Kaplan, 1991). Televised executions by commercial television stations may provoke the public's suspicions as to their motives.

CONCULUSION

In the 1960's, our society underwent massive changes. Some of those changes took place in U.S. prisons where the prevailing attitude changed from that of punishment to rehabilitation. Support for the death penalty waned, and executions were halted from 1967-1977. Now, however, we are again willing to torture human beings to death in electric chairs and gas chambers. By 1985, public support for the death penalty reached a record level of 80 percent (McEnteer, 1986). Since capital punishment is done in the name of the people, the people do have a right to know what is really being done in their name. Television will help us to understand the implications of the death penalty better. Yet convincing evidence exists that public executions may bring out the worst in us. The possibility of death penalty celebrations in public and private gatherings is a gruesome thought. However, the "whole" truth about death penalty must be available to the public without being de-humanized or sensationalized and without jeopardizing prison security. Televising executions without sorting through the ethical implications would be more damaging to society than helpful. Televising executions represents a significant enough departure from social custom to warrant careful scrutiny by our society. To do less would be irresponsible.

NOTE

1. They are the Hearst Corporation, McClatchy Newspapers Inc., Los Angeles Times, Matin Independent Journal, American Lawyer Media L.P., Press Enterprise Co., Associated Press, California Newspaper Publishers Association, American Society of Newspaper Editors, California Society of Newspaper Editors, Westinghouse Broadcasting Co. (d/b/a/, KPIX-TV, San Francisco, KFBK-AM, Sacramento, and KFWB-AM, Los Angeles), CBS (d/b/a, KCBS-AM San Francisco, KCBS-TV, and KNX-AM, Los Angeles), California Broadcasters Association, Radio-Television News Directors Association of Northern California, Radio and Television News Association of Southern California, and National Press Photographer Association.

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DAILY NEWSPAPER READERSHIP:
FOUR TYPES OF LOCAL NEWSPAPER READERS
MIRROR ASNE FINDINGS

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ABSTRACT

Newspaper readership figures for 1991 greatly concern industry analysts. For the first time in 40 years, newspaper circulation and penetration declined for the second consecutive year. Not only are fewer people reading newspapers, but some are reading them less frequently. Younger adults tend to read newspapers less frequently than older adults. Further, these generational differences tend to be maintained over time. This study replicates ASNE's recent newspaper readership study and identifies four types of newspaper readers in Columbia, MO. It concludes ASNE's nationally based research and circulation development strategies can be appropriate in designing local market promotional strategies.

INTRODUCTION

Newspaper readership figures for 1991 greatly concern industry analysts. The newspaper industry reported its second consecutive year of declining circulation and penetration for the first time in 40 years. While some analysts interpret the 1991 results as indicators of a temporary cyclical trough, an increasing number believe the industry's long standing readership problems are evidences of a slow, evolutionary downward spiral (Christy 1991). Regardless of interpretation, the industry's longterm, lackluster performance is extremely troubling. The industry's past performance coupled with the potential of heightened competition from the telecommunication industry create an impending sense of urgency. Consider the following.

The total circulation of the country's some 1,600 daily newspapers decreased 1.6% in 1991 to 61,532,000. The circulation loss of more than 1 million in 1991 compares to the .005% (or 37,000) decrease in 1990 circulation. Daily newspaper circulation in 1989 totalled 62,570,000. Newspaper penetration figures (the ratio of circulation to households) decreased in 1990, albeit at a slower rate, for the second consecutive year. Analysts attribute 1991's deceleration to a slackening in household formation. The penetration figures for 1989 were 67.4%, while the corresponding performance for 1990 was 66.9%. (Gollin 1991).

The U.S. Supreme Court recently upheld the April 1990 Court of Appeals' suspension of the divesture restrictions imposed on the Regional Bell Operating Companies (RBOC) in 1982. Originally, the restrictions banned the RBOCs from delivering self-generated information services, manufacturing telephone equipment, providing long-distance services and operating cable companies within their own service territories. The Court's decision pits the $117 billion telecommunications industry against the $40 billion daily newspaper industry for control of America's emerging electronic information industry.

Surely, the prospects of intensified competition with the telecommunications industry alarms the embattled newspaper industry. The gravity of the situation justifies research in promoting and maintaining newspaper readerhip. The American Association of Newspaper Editors (ASNE) sponsored a national survey of adults concerning newspaper readerhip habits and attitudes. The research revealed four types (factors, clusters) of newspaper readers: the loyal newspaper reader, the at risk newspaper reader, potential readers and poor prospects for newspaper readership.

The purpose of this study is to replicate the ASNE readership study in the midwestern market of Columbia, MO., and to compare local-market readership characteristics with national readership characteristics. The study is significant because Columbia is the country's smallest market with two fully competitive daily newspapers. Thus, it provides a unique opportunity for newspaper research.

By all accounts, Columbia is an attractive market. *Sales and Marketing Management* magazine recently ranked the Columbia MSA 45th among the nation's top 50 most affluent retail markets. The MSA has an Effective Buying Income (EBI) per household of $34,971. The MSA's population has grown more than 36% since 1970 to over 110,130. There are more than 40,780 households. A total of 25,000 college students are enrolled in the area's three colleges and universities. Nearly one in six of the MSA's labor force are employed by the university or colleges. Fifty-one percent has attended college. This includes 34.7% who have at least a college degree.

The Columbia MSA is a media rich market. It is served by three network television stations and a local cable station. *Arbitron* includes measurements of 11 radio stations in its market reports. The print market is equally diverse. Two daily newspapers service the market. The *Columbia Missourian* is a fully competitive, daily newspaper published by the University of Missouri's School of Journalism. It has a local circulation of approximately 5,200. It publishes the the *Missourian Weekly*, a free distribution Wednesday newspaper with a circulation of 34,200 households. The *Missourian Weekender* is a free distribution Sunday newspaper with a circulation of approximately 19,000 households. The *Columbia Tribune* is locally owned and has an approximate daily circulation of 17,500. The Tribune publishes *EXTRA*, a free distribution Wednesday newspaper with a circulation of 20,000. The Tribune's Sunday circulation is approximately 24,000.

A four-color, glossy, regional magazine is headquartered in Columbia. The university campus newspaper is published twice-weekly and boasts of more than 20,000 circulation. The *Ad-Sheet* is an independently owned, freely circulated, weekly coupon tabloid with a circulation of more than 30,000.

METHODOLOGY

This study utilizes both primary and secondary data. The secondary data includes the Newspaper Advertising Bureau's (NAB) annual assessment of trends in newspaper circulation and readership, and the ASNE sponsored *Keys to Our Survival*. The primary data is drawn from the *Columbia Missourian* readership study conducted in Columbia, MO by the School of Journalism's Media Research Bureau (MRB).

The ASNE sponsored research was conducted by MORI Research, Minneapolis, MN. A total of 1,264 adults were interviewed by MORI from February 22 to May 30, 1990. The research consists of an initial 15-minute telephone interview and a follow-up, 8-page mailed questionnaire. The interviewers called the respondents to record responses to the mailed questionnaire. MORI reports 1,037, or 82% of those completing the initial interview also completed the mailed questionnaire. The project coordinators had projected a 75% participation rate between the two interviews. The sampling error is plus or minus 4.9% at the 95% confidence level.

The primary data was collected through telephone interviews conducted by the MRB during January and February 1992. The sample was randomly selected by computer. A total of 429 adults were interviewed. The 70-plus question survey replicates the ASNE survey. However, it also includes questions about the respondents' attitudes concerning recent editorial enhancements to the *Columbia Missourian*. The survey was conducted by trained, college student interviewers. It took approximately 20 minutes to administer. The respondents' answers were directly encoded through the MRB's computer assisted telephone interview system (CATI). Data analyses were done using SPSS 4.1.

ASNE's classification of readers is based on answers to 10 questions. The MRB analysis replicates this analysis. These 10 questions include the following:

1. How often do you read a newspaper, every day, a few times a week, once a week, less than a week or never?

2. If you had to choose one way of getting news or information, would you rather read it yourself, as in a newspaper or magazine, or would you rather have it presented to you, as it is on television or radio?

3. If for some reason you couldn't read a daily newspaper for quite some time, which of the following comes closest to how you would feel: lost without it, you would miss it but could get along without it, or you could easily get along without it?

Degree of agreement of disagreement with the following:

4. I think people can be adequately informed just by watching the news on television.

5. News about politics and world affairs doesn't affect me personally.

6. I'd like to keep up better with what's happening in the world, but it's just too complicated and confusing.

7. Things are changing too fast these days.

8. I ususally feel rushed just to do the things I need to do.

9. If, for some reason, I had to leave this community, I would miss it a lot.

10. It takes too much time for busy people like me to read the newspaper.

ASNE's readership groups were defined through discriminant analysis. Cluster membership was assigned by both readership frequency and responses to the attitude questions. Thus, frequency of readership differs among the various clusters.

MRB's readership groups initially were defined through cluster analysis to see if this method would replicate

ASNE's grouping. Cluster membership emphasized responses to the attitude questions. Thus, MRB's clusters do not completely duplicate ASNE's groupings, which emphasized readership patterns.

LITERATURE REVIEW

The Newspaper Advertising Bureau (NAB) has researched newpaper readership since the early 1960s. Its 1991 newspaper assessment identifies three areas of concern: circulation penetration, readership frequency and analysis of readership by age.

The peak period of newspaper penetration occurred during the 1945-46 period. The industry reported nearly 1.3 daily newspapers per household during this time. The level of penetration for daily newspapers has decreased by more than 50% to the 1990 level of 66.9%. Circulation figures for Sunday readership penetration have similarily declined from a high of 115% during the late 1940s to a penetration level of 67.1% in 1990. The NAB reports that since 1970 the number of households has grown 46.4% and the number of adults has grown 37.2%. However, during the same period Sunday newspaper circulation has grown only 26.6%, while daily newspaper circulation shows a 1.1% increase over the last 20 years. Circulation losses between 1990 and 1991 were disproportionately felt by metropolitan and mid-sized newspapers. However, total daily circulation in all five circulation categories decreased. These categories include newspapers with circulations of a) over 500,000, b) between 250-500,000, c) between 100-250,000, d) between 50-100,000 and e) under 50,000.

The newspaper industry also has problems in readership frequency. Daily readership figures have declined from a high of 78% in 1970 to 62.1% in 1991. Sunday readership has declined from 73% in 1970 to 67% in 1991. The daily and Sunday readership losses were most profound in the 1970s. They have levelled, or the rate of decline has slowed, during the latter half of the 1980s. This trend of more casual reading styles during the last 20 years is apparent for all demographic variables. The average newspaper reader, regardless of age, gender, education and income level, is reading newspapers less frequently.

Finally, analysts traditionally have thought that newspaper readership habits were directly correlated with age. This 'marriage and mortgages' hypothesis assumes that the inevitable responsibilities of adulthood somehow increases the individuals' newspaper reading habits. However, analysis of readership data collected since 1967 discounts this assumption. These more recent analysis techniques confirm readership habits tend to remain constant once a certain level of intensity is established. Therefore, earlier generations of loyal newspaper readers are being replaced with post-war generations of newspaper readers that are less loyal and more casual in their reading habits.

In general then, not only are fewer people reading newspapers, but some categories of newspaper readers are reading them less frequently. Further, younger adults tend to read newspapers less frequently than older adults, and these generational differences tend to be maintained over time. If these are the readership trends then, how should newspapers plan their promotional strategies to recapture their audiences? What types of readers should be targeted in these promotional strategies? The ASNE's description of four reader types follows (ASNE 1991).

The loyal reader accounts for 55% of the adult population and reads a newspaper 4-5 weekdays. Three-fourths of loyal readers are over 35 years old. The loyal reader is less likely to have undergone a major change in lifestyle in the past three years. Major changes include change in the number of household members, marital status, employment status or residence. Three-fourths of them own their own home and more than half have lived in their community for more than 20 years. Most would miss their community 'a lot' if they had to leave. Most loyal readers are long term subscribers. Seventy-five percent are daily subscribers and 66% are Sunday subscribers. Nearly 80% read a Sunday newspaper.

The at-risk reader accounts for 13% of the adult population and reads a newspaper 2-4 weekdays. The majority of at-risk readers are under 35 years old and generally has lower income and educational levels. They live a lifestyle consistent with being young: work full-time, have two or more full-time employed adults in the household and have children under 18 at home. They are more likely to have undergone a major lifestyle change in the last three years. Forty percent rent their homes and are more likely to have recently moved into the area. Psychologically, they tend to feel harried, too busy and not in control of events affecting their lives. They respond to these threats by retreating into their own 'provincial world.' About one-third are daily subscribers and 25% are Sunday subscribers. Nearly 60% read a Sunday newspaper.

The potential reader accounts for 13% of the adult population and reads a newspaper 0-3 days a week. The at-risk and potential readers are similar in age, income, educational levels, residence and household membership. The major difference between at-risk readers and potential readers is the two groups' self image. Potential readers feel much more in control of their lives than at-risk readers. They are more expansive, confident and cosmopolitan in their outlooks. While they consider themselves busy, they don't consider themselves harried. They have a sense of control over their environment. Both groups share similar readership habits.

The poor prospect accounts for 19% of the adult population and reads the newspaper 0-1 weekdays. This group reads the newspaper very irregularly, if at all. They are not likely to ever become regular newspaper readers. Their attitudes are similar to non-readers. They tend to feel rushed, just too busy to read the newspaper. Seventy percent, more than any other group, think they can be adequately informed by television. Seventy-five percent think the world is changing too fast. They have minimal newspaper reading habits.

FINDINGS

Overall, the Columbia readership levels matched ASNE's results. The following report examines the findings for Columbia in several ways, starting with general results. Comparable ASNE findings are reported where appropriate or available.

Readership levels for Columbia match national findings. Fifty-four percent said they read a newspaper every day. About 23% said they read a newspaper a few times a week, 9% read a newspaper less than once a week and 3% said they never read newspapers. Thirty-five percent of the Columbians said they are reading daily newspapers more often than they were three years ago, while 19% are reading less often and 46% are reading about the same. ASNE reports 55% read newspapers daily, while 26% read a newspaper a few times a week and 19% read a newspaper once, or less than once, a week.

Sunday readership in Columbia is high. Eighty-two percent report reading a Sunday newspaper within the last four weeks. Compared to three years ago, 32% said they read a Sunday newspaper more often today, while 18% read a Sunday paper less often. Fifty percent report no change in their Sunday readership patterns. ASNE reports 68% read Sunday newspapers.

If asked to subscribe to a daily newspaper, Columbians seem more willing to subscribe than the ASNE respondents. In Columbia, 14% said they would definitely subscribe, 22% said they would probably subscribe while 31% said they probably would not subscribe and 28% said they would definitely not subscribe. ASNE reports 10% would definitely subscribe, 21% would probably subscribe, 39% would probably not subscribe and 29% would definitely not subscribe.

Respondents were asked if they had to choose one way of getting news whether they would rather read it themselves or have it presented to them electronically. Fifty-two percent of the Columbians said they would rather read it, as in a newspaper while 40% would rather have it presented to them as in the broadcast media.

Respondents were asked how they would feel if they could not read a newspaper for several days. Seventeen percent of the Columbians said they would feel lost without it. Eighty-three percent said they could get along without their newspapers. Specifically, 54% said they would miss it but could get along without it and 29% said they could easily get along without a newspaper.

The respondents were read a series of statements concerning their general feelings about news and newspapers. They were asked to rate their degree of agreement and disagreement with the statements. The Columbia and ASNE national results suggest some interesting comparisons. The statements and the total percentages reporting either strong or somewhat agreement follows.

I think people can be adequately informed just by watching the news on television.

Agree Strongly/Somewhat: Columbia: 42% ASNE: 54%

News about politics and world affairs doesn't affect me personally.

Agree Strongly/Somewhat: Columbia: 13% ASNE: 29%

I'd like to keep up better with what's happening in the world, but it's just too complicated and confusing.

Agree Strongly/Somewhat: Columbia: 29% ASNE: 47%

Things are changing too fast.

Agree Strongly/Somewhat: Columbia: 45% ASNE: 70%

I usually feel rushed just to do the everyday things I need to do.

Agree Strongly/Somewhat: Columbia: 65% ASNE: 65%

It takes too much time for busy people like me to read a newspaper.

Agree Strongly/Somewhat: Columbia: 20% ASNE: 30%

COLUMBIA MISSOURI CLUSTER SUMMARIES

1. How often do you read a newspaper, every day, a few times a week, once a week, less than a week or never?

	ONE	TWO	THREE	FOUR
DAILY	69%	64%	72%	26%
FEW TIMES	21	20	14	26
1X OR LESS	7	16	12	42
NEVER	2	1	2	6

2. If you had to choose one way of geting news or information, would you rather read it yourself, as in a newspaper or magazine, or would you rather have it presented to you, as it is on television or radio?

	ONE	TWO	THREE	FOUR
NEWSPAPER	80	65	61	31
BROADCAST	20	34	39	69

3. If for some reason you couldn't read a daily newspaper for quite some time, which of the following comes closest to how you would feel: lost without it, you would miss it but could get along without it, or you could easily get along without it?

	ONE	TWO	THREE	FOUR
LOST	20	23	24	3
MISS, BUT	62	56	57	42
EASILY	17	21	20	55

4. I think people can be adequately informed just by watching the news on television.

	ONE	TWO	THREE	FOUR
STRONG +	0	6	20	24
SOMEWHAT +	4	20	34	60
NO OPINION	5	6	8	9
SOMEWHAT -	21	38	29	4
STRONG -	69	30	10	2

5. News about politics and world affairs doesn't affect me personally.

	ONE	TWO	THREE	FOUR
STRONG +	0	10	12	4
SOMEWHAT +	1	9	9	3
NO OPINION	2	4	1	6
SOMEWHAT -	13	17	21	25
STRONG -	84	60	58	62

6. I'd like to keep up better with what's happening in the world, but it's just too complicated and confusing.

	ONE	TWO	THREE	FOUR
STRONG +	2	17	1	4
SOMEWHAT +	4	28	8	25
NO OPINION	7	9	5	10
SOMEWHAT -	25	24	28	35
STRONG -	62	21	58	25

7. Things are changing too fast these days.

	ONE	TWO	THREE	FOUR
STRONG +	15	37	9	18
SOMEWHAT +	15	30	11	25
NO OPINION	15	11	4	12
SOMEWHAT -	31	14	36	31
STRONG -	24	9	40	14

8. I ususally feel rushed just to do the things I need to do.

	ONE	TWO	THREE	FOUR
STRONG +	12	47	2	60
SOMEWHAT +	11	40	12	28
NO OPINION	6	3	7	2
SOMEWHAT -	36	6	40	10
STRONG -	35	59	39	0

9. If, for some reason, I had to leave this community, I would miss it a lot.

	ONE	TWO	THREE	FOUR
STRONG +	24	66	73	22
SOMEWHAT +	7	26	20	21
NO OPINION	10	2	4	15
SOMEWHAT -	27	4	2	28
STRONG -	33	1	1	14

10. It takes too much time for busy people like me to read the newspaper.

	ONE	TWO	THREE	FOUR
STRONG +	0	5	0	21
SOMEWHAT +	2	10	1	36
NO OPINION	3	6	2	8
SOMEWHAT -	20	34	28	29
STRONG -	75	46	69	7

The first group seems most similiar to the ASNE's loyal reader group. It reads newspapers frequently and relies on them heavily for news and information. It agrees strongly that politics and world affairs affect them personally. This group is the least harried and has the least sense of confusion about the outside world. Seventy-five percent strongly disagree with the statement that it takes too much time for busy people to read the newspaper.

The second group is very similiar to the first group's levels of newspaper readership and reliance. The major difference between the first and second groups is the intensity of their attitudes about confusion over world affairs and control over their environment. The second group tends to feel more confused by the world's happenings and has a greater sense of 'hurry' than the first group. Sixty-six percent of the second group strongly agrees they would miss the community if they had to leave.

The third group is unique in several areas. While it has the highest level of newspaper readership, it is more willing to believe people can be adequately informed just by watching the news on television. Fifty-four percent agree television can adequately inform people. Groups one through three are similar in their attitudes about 'things are changing too fast these days.' The third group would miss Columbia most if it had to leave.

The fourth group is most similar to ASNE's potential or poor prospects groups. This group has the lowest frequency of newspaper readership. It relies most strongly on television for news and information. More than half could easily get along without a daily newspaper; 69% would choose television over newspapers. This group tends to believe the world is changing too fast. Sixty percent strongly agree that they usually feel rushed just to do the things they need to so.

CONCLUSION

The study's statistical analysis continues to progress. Consequently, specific statistical judgments remain to be determined. However, general observations and comparisons are entirely appropriate at this stage of analysis.

First, the survey instrument developed by ASNE seems appropriate for establishing readership characteristics and defining types of newspaper readers on both the national and local levels. The Columbia survey results parallel the ASNE national readership findings. Thus, this type of factor, or group analysis seems effective in creating localized strategies for readership development.

Second, Columbia's attitudes about newspapers and forces affecting readership activities are consistent with the ASNE findings. However, there are some interesting distinctions. Columbians seem more reliant on newspapers for news and information. They seem less confused by the world's complications. Fewer of them think things in the world are changing too fast. Thus, promotional strategies based on ASNE's national study may have to be modified to be effective in Columbia.

Third, the types of newspaper readers identified through the Columbia study are similar to the readership types identified by ASNE. This suggests that readership development strategies based on national survey results will be compatible for local market utilization.

FUTURE RESEARCH AGENDA

Further analysis of the survey's results is underway. Comparisons between the ASNE and Columbia studies are continuing. Additional descriptions of the local types of readers are planned. The Media Research Bureau and the *Columbia Missourian* begins phase two of the study during April 1992. This mailed questionnaire seeks to establish information agendas for the various reader types.

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Tunisia's Response to the Advent of European Direct Broadcast Satellite Television*

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Introduction

The advent in Western Europe of direct broadcast satellite (DBS) television has made an impact on television broadcasting policy in Tunisia. The spillover of European satellite television signals has brought a deluge from the sky of foreign television channels, and with them, the unprecedented challenge to Tunisia of uncontrolled television programs.

Proximity to Europe, easy access to satellite television reception hardware, a bi-lingual urban audience from a growing middle class, along with other factors, have combined to create a favorable environment for the diffusion of satellite television. The new situation has raised broadcasting, political, economic, and socio-cultural issues. A debate about satellite television and its implications has begun, where 'challenge' to broadcasting and culture is a recurring theme (Najar, 1988; Maherzi, 1988).

The advent of European satellite television has prompted media policy makers and broadcasters in Tunisia to look for ways to cope with the new challenge. The purpose of the present paper is to address Tunisia's response to satellite television by focusing on three areas: (1) satellite television reception policy; (2) reforms within Tunisia's radio and television broadcasting authority, RTT; and (3) attempts at television channel diversity. A second purpose is to raise and discuss issues that are likely to influence future television policy developments.

One may raise the question of what makes this topic significant enough to consider and discuss. Four factors may be cited. First, there is a need for effective television broadcasting policy-making. Policy-makers need to better understand the role of broadcasting in general, and the implications of uncontrolled foreign television in particular. When Third World countries are confronted with new communication technologies, they often lack understanding of these technologies and their long-term implications, as well as the tools to deal with them.

In the case of Tunisia, current satellite reception policy reflects a wait-and-see approach, typical of policies that are not sure how to go about addressing important DBS television-related issues. David Webster (1984) of the British Broadcasting Corporation summarizes the policy challenges facing policy makers regarding new communications technologies:

> So far, responsible government officials do not appear to have recognized these implications. Their discussions of communications technology focus largely on the desire to build high technology industries, to promote employment and to be seen to be modern. The motives of governments are confused. They know communications are important, but have little basis for understanding how to proceed... (p. 1162).

Second, there are obvious implications for the Tunisian broadcasting system. Tunisian broadcasting has traditionally been a government-run activity. As in most Third World countries radio and television have been used as tools for national integration, political mobilization and economic and socio-cultural development (Katz & Wedell, 1977). Direct access by

Tunisian audiences to European satellite television is very likely to deeply affect Tunisia's broadcasting system, and by extension, the relationship between the government and the mass media in general. Determining the kind of implications on broadcasting policy and practice is essential for practical reasons as well as for academic research.

Third, the growing number of satellite antennas on rooftops of apartment buildings and houses in Tunisian residential neighborhoods indicates that satellite television is gaining a growing audience. Available figures show that in 1989, there were 2,000 parabolic antennas, and an estimated satellite television audience of 100,000 (Werba, 1990). Given the close cultural, educational, and commercial relations between Tunisian and Western Europe, particularly France, Tunisians' enthusiasm for French-language satellite television programs is likely to continue to grow, and with it the size of the audience.

Fourth, numerous Tunisians, from conservative as well as liberal circles, are concerned about the political, socio-cultural, and economic repercussions of foreign television, projecting Western values and lifestyles. This issue has not yet been placed high enough on the national agenda. Nevertheless, a debate among media scholars has already begun with mixed feelings about the promise and the challenge satellite television poses for society (Maherzi, 1988).

Review of Literature and Theory

Available literature on satellite television and its impact on Third World media systems is sketchy and fragmented. Little systematic research has been done and little direction has been offered in terms of implications on national media policy and practices. However, the literature abounds with studies on the broad implications of new communications technologies on such areas as culture, especially cultural identity and change in Third World contexts (McPhail, 1987; Negrine, 1988).

Najar (1988) and Maherzi (1988), from Tunisia and Algeria respectively, recognize the dilemma DBS television poses for the North African countries (the Maghreb). The dilemma consists in the historical openness of Maghrebi countries towards Western Europe on the one hand, and the desire to protect their Arab and Islamic cultures on the other. Maherzi describes the dilemma of satellite television issue this way:

> It's fabulous and, at the same time, worrisome. Fabulous because this technological breakthrough coincides with the legitimate wish of Maghrebi citizens to take part in all communications. It's also worrisome because the introduction of foreign programs is a matter of concern for our culture and our televisions. On the one hand, it may seem difficult to criticize the use of satellite [television] by Maghreb viewers but, on the other hand, it's useful to ask ourselves [questions] about the nature and the consequences of the spill-over on our societies (p. 37).

Maherzi and Najar suggest media policies aimed at improving national television production capacity. They also propose a policy of increased regional broadcasting cooperation between the countries of the Maghreb by pooling talent and material resources. Regional cooperation would help ease the competition emanating from foreign television.

Negrine (1988) and McPhail (1987) offer insights on the political, cultural, and economic implications of DBS television. On the political and cultural ramifications of uncontrolled foreign television McPhail argues that these weight heavily in Third World governments' fears of DBS television:

> Psychologically, DBS came to represent to many the epitome of a foreign cultural invasion tool that could invade countries and broadcast propaganda without domestic or native content or control (p. 163).

Negrine argues that DBS television may be welcomed because of the economic opportunities and cultural enrichment it provides. He points out the difficulty for policy studies because of the speed of developments in satellite technology, and the inability and/or unwillingness of governments to plan the directions of these developments. According to Negrine, there are two major policy implications one could expect from DBS television: (1) public broadcasters will be in a more difficult position as they will have to justify their continued existence in a much more competitive television environment; and (2) the long term impact of exposure to foreign media, particularly on local cultures (pp. 2-4) This is especially true for cultures facing overwhelming foreign cultural intrusion. The Caribbean region and Canada are two cases in point.

Literature from the Critical-Cultural school has concerned itself with the role of new media on processes of cultural change and continuity in the Third World. Elihu Katz (1977) points out that the flow of new communications media from "centers" to "peripheries" appears as a clash between mass mediated, and "authentic" cultures, leaving open the potential for domination or enrichment (pp. 113-121). The importance of culture is a central issue to policy-makers and broadcasters alike. The challenge, according to Katz, is to find a proper balance between two cultural concepts he borrowed from Clifford Geertz: the cosmopolitan, future-oriented spirit of the age, or "Epochalism," and the common experience that inhere in tradition, or "Essentialism." Local broadcasters, Katz argues, may be able to find a balance by cultivating and utilizing the creative arts in their own cultures (Ibid).

Hamelink (1983) takes a clear position on the issue of culture and international broadcasting, emphasizing the essentiality of what he terms, "cultural autonomy" for Third World countries facing integration into global communications. He argues that autonomy has to be secured through the formulation and implementation of national policies based on international "dissociation" by encouraging self-reliant development and the cooperation of developing countries among themselves (p. xiii). Cultural dissociation, according to Hamelink, is required in a national information policy because information flows and information technologies have a profound influence on national cultural development (Ibid).

The concept of cultural autonomy seems to provide a workable theoretical basis for understanding current trends in national broadcasting and production policies. As the 1990 Tunisian television reforms show, particular emphasis is put on production of endogenous arts and other cultural forms of expression.

The Response to DBS television

Tunisia's response to the advent of European satellite television includes three aspects: (1) policy regulating satellite television reception; (2) structural and operational reforms within RTT; and (3) a policy of program distribution equity through over-the-air channel extension and diversity.

It should be made clear that there is no indication, official or otherwise, that these three areas are part of an official integrated policy aimed at preparing the Tunisian public and broadcasting for a foreign satellite television era. The author has based these outcomes on observation of the Tunisian broadcasting scene over a five year period, press and official documents in Arabic and French, and consultations in Tunis with broadcasting officials and experts.

* Satellite TV Reception Policy

Legislation was introduced in early 1988 regarding satellite signal reception by the general public, as well as provisions setting rules and regulations for manufacturing, distribution and sale of satellite dish antennas. Law No. 88-1 of January 15, 1988, is a comprehensive regulatory text covering two kinds of satellites used in broadcasting: direct broadcast satellites

(DBSs) and point-to-point satellites (Journal Officiel de Tunisie, 1988). Article 6 provides specific rules, which require buyers of satellite dishes to notify the Ministry of Communications:

> [Earth] stations designed for the reception of direct broadcast satellite television signals operating exclusively in the broadcast bandwidth do not require a license... A notification must be addressed to the Ministry of Communications at the time of the installation or removal of the [earth] station. A copy of the notification is transmitted to the Ministry of the Interior (Ibid, p. 83).

Two observations are worth outlining here. First, the timing of the law coincided with the much-reported and discussed launch of France's DBSs, TDF-1 and TDF-2. These two high-powered satellites were the first 'dedicated' satellites to promise Francophone audiences on both sides of the Mediterranean a multiplicity of television channels. Another DBS system is the Luxembourg-based ASTRA satellites 1A and 1B which were launched in the late 1980s. They carry German and British television programming and may be downlinked by Tunisians as well. Other multiple purpose European (ECSs) and INTELSAT satellites had already been broadcasting television signals to Europe, but their low-power signals cannot be downlinked by home reception dishes in Tunisia. A list of satellite-delivered television channels that may be downlinked in Tunisia are included in Appendix 1.

The second observation has to do with the practical nature of the satellite television law. It addresses the practicalities of satellite dish manufacturing, importation and distribution, as well as procedures of notification, authorization fees, penalties for illegal use, etc. Individual dish purchasing procedures require a simple registration and payment of two one-time fees: one for application and one for the license. Collective dish (or master antenna) purchasers are required to pay an annual fee.

Somewhat surprising is the law's liberal aspect. Dish ownership and installation requires relatively little bureaucratic procedures. In this sense, access to the hardware of satellite television is not an issue. The issue of access is in the price. As of August 1991, satellite dish systems cost between $1,000 and $2,500 ($1 equals about .9 Tunisian Dinar). These are clearly very high prices for the average Tunisian household. A question worth raising here: does the economics aspect of satellite television hardware act as a self-regulating mechanism for avoiding undesirable popular access to foreign uncontrolled television?

* RTT Reforms

As a public broadcaster, Radiodiffusion Télévision Tunisiénne, RTT has enjoyed monopoly status since its inception in 1966 (Houidi & Najar, 1983). With the advent of DBS television, a well as the diffusion of other media outlets such as VCRs, RTT has begun to realize that its privileged position has come under increasing challenge. Reforms have been introduced in 1990 with the purpose of moving public broadcasting towards financial independence, and improving standards of management, programming and technology (Ben Farhat, 1990).

An important goal in the reform is financial self-reliance. As a state-run enterprise most of RTT's revenues consist of state subsidies. A small portion of the revenues come from license fees which are attached to household electricity bills. Steps in the financial reform include commercialization and cuts of foreign program acquisitions. Commercials and program sponsorship are increasingly utilized as the answer to replace subsidies. A new and unprecedented service within RTT is entirely devoted to commercials, marketing, and sponsorship (Werba, 1990).

On the management side, RTT employees have become private workers in a public structure. Careers and employment are to be determined on merit and not on seniority. Producers and reporters benefit from 'production leave,' thus opening the way for independent production and creativity. According to a former television director, the main goal is to make RTT a "house of production and creativity and not a house of functionaries (Ben Farhat, 1990:4).

Indeed, an important goal is to improve programming and production standards. There are plans to increase production of fiction, both independently and with private production houses, such as the Egyptian off-shore company, Zini-Films. A "Club des Producteurs" has been set up by RTT in order to provide a forum whereby broadcasting officials, producers, writers, technicians, independent critics and researchers exchange ideas and conduct workshops. The Club also serves as a depository for scripts ('Un Club pour Stimuler la Production,' 1989:13).

Commenting on RTT reforms, La Presse television critic Ben Farhat sees in the increasing challenge emanating from DBS television a reason "to incite us not to remain lagging behind in matters such as [television] creativity; otherwise, we will have no choice but to continue to consume foreign products along with damaging acculturation and deculturation (sic)" (1990, p. 2).

*** Channel Diversity**

Providing diversity in television programming through a multiplicity of channels is a third aspect of the strategy in preparing Tunisian viewers for the satellite television era. In addition to RTT's Arabic-language domestic television channel, Tunisians also have access to two over-the-air channels: Italy's RAI Uno and France's Antenne 2. Both channels are state-run services offering alternative programming in French and Italian. Making RAI Uno and Antenne 2 available as alternative outlets may be part of a deliberate policy to provide Tunisian viewers with a wider choice of socially-acceptable programming.

RAI Uno began transmitting to Tunisia in 1960, six years before Tunisia had its own television service. Four relay stations were installed to give Tunisian viewers and Italians living in Tunisia a clear signal of the 1960 Rome-based Olympic Games (Houidi & Najar, 1983). For three decades RAI Uno was available only in the northern part of the country. A 1989 extension of the RAI Uno signal coverage has made the Italian channel available in 80% of the country (Werba, 1990).

RTT began relaying Antenne 2 in 1989. The French public service was assigned a channel frequency formerly used to broadcast RTT's French-language second channel, Deuxiéme Chaine. Although Antenne 2 programs are transmitted live through RTT relay facilities, Tunisian broadcasters keep strict control over the transmission of undesirable material. For example, Antenne 2's news bulletins are either removed from the schedule or are replaced by RTT-produced news broadcasts. Shows containing nudity or obscene language are also replaced by programs from RTT archives. In order to avoid transmission of unwanted material Antenne 2 has recently assigned a representative (Monsieur Antenne 2) to help facilitate communication between itself and RTT.

The Tunisian government's decision to broadcast Antenne 2 stirred controversy because of the channel's sophisticated and unconventional programming. Unlike RAI Uno which is more family-oriented and free of social turbulence, Antenne 2 is more audacious. Programs depicting violence and occasional nudity clash with the traditional cultural values of a majority of the Tunisian audience. RTT officials concede that Antenne 2's programs sometimes embarrass family viewers, especially at peak viewing time, when the audience is made up of rather large family units.

Future Television Policy Issues

Future television broadcasting policy issues are likely to revolve around two main areas: (1) political and socio-cultural issues, and (2) impacts on the public broadcasting system. Media policy makers and broadcasters will soon be confronted with the task of finding answers to difficult questions such as, how will the government deal with the political challenge of uncontrolled programs, especially news? And, how will that affect the relationship between Tunisian viewers and the national television service? RTT's decision not to allow Antenne 2's news bulletins to be transmitted is an indication of the sensitivity of uncontrolled political news originating from foreign sources. On this subject Maherzi (1988) clarifies the pros and cons of satellite television:

> We will be invaded by uncontrolled messages, which may be hostile to the receiving country. None can deny the potential risk of destabilization. However, we will also receive an abundance of information which is more rich, more varied, and more credible. It is this kind of information which will make Maghrebi viewers turn away from their national television (p. 40).

Perhaps the most potentially controversial aspects of direct satellite television in Tunisia are its cultural and social ramifications. Thus, the question that needs to be raised is, how will media policy deal with two opposing viewpoints, or between the "Essentialists," those who want to protect the national culture from foreign influences, and the "Epochalists,' those who seek openness and positive modernizing influences? Will future policies be able to accommodate the demands of both?

Maherzi (1988) explains that Maghrebis have historically been open towards Western cultural influences, but the advent of DBS television will further influence and even alienate the viewers:

> As far as most programs are concerned, the Maghrebi viewer will not experience major changes. The cosmopolitan character of Western shows and films is already present on the three television channels of the Maghreb. With satellite television, the new audio-visual landscape, its values and identities will be further and strongly confronted with images that know no frontier. [These images] may well become the only collective imaginary of the Maghreb (p. 40).

Indeed, Tunisians' exposure to foreign media is not new. Access to international radio transmissions has long been present in North Africa. The BBC, Radio Monte Carlo, and Voice of America broadcasts have always been part of the mass media scene (Boyd, 1984). Like other listeners in the area Tunisians actively seek foreign radio broadcasts, especially during periods of crisis. However, except for the period of Egypt's Gamal Abdel Nassar, foreign radio has not made much of an impact in Tunisia (Ibid).

But, television has more impact than radio. A former RTT official sees in the advent of DBS television in Tunisia a "tremendous confrontation" of cultures (Werba, 1990:42). Western television programming is seen as incompatible and in conflict with Islamic culture and values. Children's exposure to violence and pornography are among the types of television fare critics fear the most. Incidents of satellite dish vandalism in neighboring Algeria by Islamist militants reflect a negative reaction (Kaidi, 1992). As the advent of satellite television has coincided with a growing political strength of Islamic fundamentalism in the region, the satellite dish is likely to emerge in the 1990s as the symbol of political and social tension characteristic of Third World societies confronted with the dilemma of choosing between modernity and authenticity.

The challenge to the national broadcasting system is another area political and media leaders will have to worry about. Competition to state broadcasting is a growing source of concern to broadcasting officials who have always taken a loyal audience for granted. According to Najar (1988), the availability of alternative television outlets may cut the "umbilical cord" which has existed between state-run television and its audience, in fact between the citizens and the government.

RTT officials, however, estimate that Tunisia's national television retains about 85% of the audience, while RAI Uno and Antenne 2 reach the remaining 15% (Werba, 1990:44). Available estimates of the satellite television audience provide a figure of 100,000. It is a small portion of the estimated peak tv audience of 4.1 million. However, as word about the satellite channels spreads and their popularity increases, and satellite dish prices fall the audience is likely to grow rapidly in the coming few years. A particularly attractive incentive will be the vertical cable systems which can be set up in apartment buildings. Potentially-large audiences are a certain thing in Tunisia's sprawling cities such as, Tunis, Sfax and Sousse. A Tunis manufacturer and distributor of satellite dishes estimated that projected sales of antennas are 350,000 by 1995 (personal interview with Pro-Sat manager, Tunis, July 24, 1990).

Criticism of RTT

RTT has always been criticized for lack of credible news, and insufficient in-house production, especially entertainment programming. Both shortcomings have put Tunisian television at a clear disadvantage when compared to foreign television channels. Satellite-delivered channels, rich in entertainment and news, bring serious competition.

Criticism of RTT's conception of news is not without validity. As in many government-controlled broadcasting systems, news programs privilege the dissemination of official discourse and policies, thus creating a credibility problem with the audience. Also, independent production is not encouraged. Anti-production practices such as, censorship, heavy bureaucracy, lack of professionalism and creativity are serious obstacles for the development of an independent production capacity (Kaci, 1988).

The 1990 reforms indicate a recognition by broadcasting officials of the need to address the issues of news and program production, among others. Measures taken to allow independent production by RTT staffers is an encouraging sign. However, how far that independence will be allowed to go, is a question that has yet to be addressed. The attitude towards news, its definition and role has to be addressed as well. Government and broadcasting officials have historically been very sensitive about political and religious issues in the news. Finding a balance between a much-needed credibility and believability in RTT-produced news, and a traditional necessity to control the diffusion of information, will not be an easy task.

The success of RTT's policy approach towards a gradual adjustment to the satellite television era may well depend on success in two areas: First, RTT will have to develop a sustained ability to produce the kind of entertainment programming that will attract and keep a large part, i.e. a majority of the audience. Programs will have to reflect and address the social and cultural reality of Tunisian life experiences, without loosing sight of a certain Mediterranean tradition within these experiences.

The second area is the official attitude towards news. The approach towards news will have to deal with questions of objectivity, fairness, and completeness, for without a serious debate of such issues, the credibility gap between the public and television news will always remain.

An important consideration in the process of formulating a policy response to the satellite television era in Tunisia is the inclusion of major political, economic, cultural and religious actors and forces in the country. A debate of complex issues in an increasingly important field such as broadcasting can no longer afford the exclusion of different or even dissenting opinion. Broadcasting policy cannot be treated in isolation, whether deliberate or not, of its surrounding environment. A commentary in independent weekly Le Maghreb, laments the government's decision to transmit Antenne 2 without a serious public debate:

> The people did not have a chance to participate in debating this issue. They did not express their opinion on the principle and the modalities of this governmental initiative. It only had to accept the fait accompli, whereas the issue is one of considerable importance (Ben Hassen, 1990:24).

Summary and Conclusion

This paper looked at Tunisia's response to the advent of European satellite television by presenting and discussing three areas of government intervention: satellite television reception policy, broadcasting reform, and channel diversity. Potential issues of controversy have been raised and analyzed. These included the political and socio-cultural ramifications of foreign television penetration on the one hand, and the impact on broadcasting on the other.

The crux of the study is the question of how will Tunisian television policy be able to accommodate the social, political and broadcasting pressures that satellite television presents. The focus in addressing these issues was placed on the need for Tunisian broadcasting policy makers and broadcasters to rethink (1) the definition and function of news, and (2) the position and role of local television production. A public debate of these issues, with the active participation of various social forces was deemed necessary in order to reach successful future policies.

The approach to broadcasting during Tunisia's two and a half decades of independence has been credited for being resourceful (Browne, 1982). Change has come to Tunisia quietly and in an evolutionary fashion. Government policies play an important role in processes of change, and the mass media play a key role in this respect. However, as Tunisia's television broadcasting system faces new and unprecedented challenges due to the advent of foreign satellite television, resourcefulness will certainly be a much-needed ingredient for an effective response by policy-makers and broadcasters. A public debate incorporating Tunisia's social forces will ultimately prove as very beneficial.

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Appendix 1

DBS television channels available in Tunisia
(by country of origin)

France : TV 5, M6, Antenne 2, La Cinq, TF-1, Canal Plus
Italy : RAI 1, RAI 2
Spain : TVE, TVE 2, Galavision
Sweden : Nordic Channel
Turkey : Majic Box
U.K. : MTV, Super Channel, EuroSport, BBC
U.S. : CNN, Worldnet
Germany : RTL Plus, Sat-1, 3 Sat, Teleclub, Pro 7

Source: Tunisia Satellite Systems, Liste des Programmes, Tunis, Tunisia, August 1990.

A COMPARATIVE STUDY OF JOURNALISM AND GENDER IN FRANCE

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ABSTRACT

This study builds on the work of Sue Lafky and others by adding the French to a growing body of comparative, systematic, empirical research that explores the issue of gender and journalists. The study examines demographics, income and professional values among 486 journalists (97 females) surveyed in France. Results are examined in light of related research in the United States, Great Britain and Germany.

A Comparative Study of Gender and Journalism in France

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INTRODUCTION

When researcher Sue Lafky wrote about her findings on the condition of female American journalists, she began with a 1949 quote from the French feminist Simone de Beauvoir: "It is through gainful employment that women has traversed most of the distance that separated her from the male, and nothing else can guarantee her liberty in practice." Lafky (1991) then analyzed that journey as it related to contemporary American newswomen. The goal of this paper is to build on Lafky's work by beginning to assess how far de Beauvoir's own compatriots, French female journalists, have gone on that same voyage.

This paper will examine gender as it relates to demographics, income and professional values of French and American journalists. The goal is to add the French to a growing body of empirical research about journalists from various industrialized Western capitalist-democratic systems. The study relies first on the author's survey of 486 French news people at 55 news organizations (McMane,1989, 1991). In addition, the author did secondary analysis of data about holders of the identification card that a journalistic commission gives to "professional journalists" in France (Ducray, 1974; Commission de la carte, 1986; IFP, 1991). Results about French news people are compared with similarly conducted U.S. studies (Johnstone, Slawsky & Bowman, 1976; Weaver & Wilhoit, 1991; ASNE, 1988; Lafky, 1989, 1990, 1991). A few comparisons are also made with data analyses of some older British and German studies (Lafky, 1990; Van Zoonen & Donsbach, 1988; Kocher, 1986). Finally, suggestions are offered for alternative directions in comparative research about news practitioners.

The basic goal of this study is to add the French to this growing body of empirical research that has begun to provide evidence about the commonalities and differences among journalists in Western capitalist democracies.[1] Mattei Dogan and Dominique Pelassy argue that comparative research can perhaps be the best antidote to ethnocentrism. "Irresistibly, the perception of contrasts makes researchers sensitive to the relativity of knowledge and consequently helps liberate them from cultural shells . . . Only with exposure to other cultures can one become conscious of possible intellectual occlusion" (1984, 4). Thus, it is hoped that comparative examination of gender issues can contribute to the structure of future communicator studies.

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[1] For a detailed discussion of past communicator research, see McMane, 1989.

RECENT HISTORY

By the time de Beauvoir was writing, just after World War II, the nature of work for women in French newspapering and broadcasting had established a pattern that would remain largely unchanged for some time. Women had been part of the country's major journalism school, le Centre de formation des journalistes, since its 1946 founding but as a minority; six of the 29 members of the first class were women. In radio, women were out of the question as news announcers because the common wisdom was that they had unappealing voices. The primary non-dramatic role for a woman in television was as a "speakerine" who announced the next televison program. That was first the case in 1935. Any sort of news component did not appear until 1954 when some reports were offered as part of "Les femmes aussi," an afternoon show for women. The major print development was the founding in 1953 of the now-major newsmagazine L'Express by Françcoise Giroud and a male associate. Giroud had also co-founded a magazine for women, Elle, in 1945.

By 1960, about one out of eight holders of a French journalist's card was a woman, a level that remained the same throughout the decade. Non-daily Paris periodicals -- largely magazines for women and children -- employed the bulk of them (59 percent) and regional dailies employed the fewest (6 percent). "I never hire women unless I can't find a man," one newspaper editor replied in a journalism school alumni study in 1962. "This misogyny is the fruit of experience. Of the two dozen women who have come through my newsroom, only two were satisfactory. The others, each in her own way, were more trouble than they were worth" (Voyenne, p. 221). In 1966, the CFJ journalism school had had five women in its 29-member class.

The national upheaval of May 1968 saw millions of French people go on a strike and ultimately force the government to reorganize. Journalism, too, was affected. Gilles Millet, who helped found the Paris daily Liberation as an alternative paper in 1970, argues that the way young activists were ultimately integrated into French society could be one reason why native terrorism did not take hold in France as it did elsewhere in Europe in that decade. "Instead of becoming terrorists," he said many years later, "we became journalists" (IHT, 1983). For female journalists, the era brought dramatic entry into newsmagazines. The leader, not surprisingly, was L'Express, which gave a start in the 1960s to Michele Cotta and Catherine Nay, who both eventually became top broadcast journalists. Major moves in the state-operated television system took longer. Some observers credit the growing women's movement in France with prompting Jean-Pierre Elkabbach to hire 10 women in 1976 for the national Antenne 2 channel. The event was greeted with considerable press attention about the "Charm Battalion" (Bataille et al, 1991).

The beginning of the 1980s saw the first female co-anchor of a national nightly news program in France. Christine Ockrent, who had worked for 10 years with U.S. networks, took that job at Antenne 2 in 1981. In 1986, the entering class of the Centre de formation des journalistes, for the first time, had more women than men. That same year, the percentage of women among holders of journalist's cards was at 29 percent.

By 1990, France had seen females as head of national television and radio news operations and head of the broadcasting authority. That year, women represented a third of all card-holders. Women were outnumbered most, by about 4 to 1, at television stations and, as had been the case since the 1960s, at regional newspapers (by nearly 5 to 1). Women had parity in the specialized press and among the unemployed. They were over represnted among freelancers (45 percent women) and newsroom stenographers (89 percent) (IFP, p. 15, 17).

Women represented 20 percent of respondents in the author's 1988 survey of news people in France (McMane, 1989, p. 84). In U.S. studies, of news people, women had reached that proportion of news people by 1971 and accounted for 33.8 percent of news people by 1983 (Weaver & Wilhoit, p. 19).

METHOD

The author's French data come from 486 news people (97 women) at 55 news organizations selected in a two-step, skip sampling process that built in randomization. The journalists were surveyed by the author during the spring of 1988. Questionnaires were self-administered with a response rate of 70 percent. Most participants received a cookie as an inducement to respond.

Additional analysis was done on data about 1,559 holders of French journalist's cards (518 women). Those data were collected in 1990 using a quota method. Data about 1,200 U.S. newspaper journalists (420 women) were gathered for the American Association of Newspaper Editors at the same time as the French study. Data about 1,001 American journalists (338 women) were gathered in 1983 for Indiana University. Data about 449 (West) German journalists (60 women) and 404 British journalists (57) women were gathered in 1980 for the Institut fur Demoskopie Allensbach and the University of Mainz in former West Germany and for the Centre for Mass Communication Research in Leicester, England.

All but the study of holders of French journalist's cards used a definition of the journalist first developed by Slawsky, Johnstone and Bowman (1976) that limited subjects to people handling news, information and opinion in print or broadcast general news operations. The definition excluded those working for specialty publications, librarians, camera operators, audio technicians, photographers who were not also reporters, freelancers and newsroom stenographers. Thus, while the French definition of journalists put the percentage of women at 29 percent in 1986, the more narrow defition reduces that percentage to closer to 20 percent. Thus, the percentage of women in the author's survey, 20 percent, reflects the percentage in the overall population of journalists as defined by previous studies, not as defined by the French commission that gives out identity cards. To distinguish between the two in this study, journalists fitting the French definition will be referred to as "card-holders" while those included in this and previous studies will be referred to as "news people."

Each of the data set has its flaws and benefits. For example, while the number of women in the French sample of news people reflected the proportion of females in the population of news workers, the number is small. However, the study reflects the first time a national sample of French journalists had been asked values questions previously asked in other countries. The larger French sample of card-holders offers corroboration for demographic findings, although that sample comes from a broader population. The Weaver and Wilhoit U.S. sample is an excellent one, but was gathered five years earlier. However, a sample of newspaper journalists surveyed at the same time as the French sample offers corroboration. The German and British samples are the weakest as they are small, even older and used an alternative sampling method. They are not heavily relied on in this study but do prove useful in finding some interesting patterns that could be worth pursuing in new, more rigorous studies in those countries.

DEMOGRAPHIC AND INCOME RESULTS

AGE: The French female news people in the 1988 survey as well as female card-holders tended to be younger than their male counterparts. Nearly half of the women (44.9 percent) in the survey of French news people were under age 35, compared with about a quarter of the men (27.1 percent). Among card-holders, men and women were equally present only in the 25 and under age group with men outnumbering women in all other age groups (IFP, p. 23). Past U.S., British and German studies present similar patterns with women underrepresented in higher age groups. The card-holders study reported what it called a "feminization" of media fields, The proportion of card-holders had who were female had increased by one percentage point per year since 1980 and a breakdown of the 1990 figures showed "a progression of women in the group in inverse proportion to their age." The lower the age group, the more women it contained. The study did not distinguish between news people and other media workers (IFP, p. 22).

JOB RANK: Although they now have have the Ockrents and Cottas to look to as role models, French women remain underemployed in newsroom management. The French female news people surveyed were as likely as the males to note that they did reporting or editing "regularly," but males were far more likely, by nearly 3 to 1, to report that they "regularly" had influence in hiring and firing. The percentage of women who "sometimes or regularly" had some influence on hiring and firing was 12.4 percent, compared to 25.3 percent of the men.

Among the wider population of working card-holders in 1990 who were directors, just over 1 percent were female (IFP, p. 17). This number also includes directors at women's and family magazines, where French women have traditonally had the best opportunity to advance.

Suzanne de Morlhon of the FR3 television station described the situation at her organization: "While women are the majority in journalism schools now, they still represent barely 15 percent of the staff here. They are most numerous in the lower echelons, the reporting staff. However, the higher one goes in the hierarchy, the fewer women one sees" (Bataille et al, p. 16).

Some anecdotal evidence indicates that even the same level of management job can differ based on gender. Dominique Pradalié noted in 1991 that she and the other female news manager at the Antenne 2 television station were in charge of the most thankless sectors of the news operation: the morning and weekend news shows. "To do the morning show, the director had to get up every day at 2 a.m.," she said. "The weekend show required that I work every Saturday and Sunday from 8:30 a.m. to midnight. For both jobs everything was 100 times harder, such as convincing a guest to appear so early in the morning or on the weekend. For the so-called 'major' editions, however, all the directors have been men" (Bataille et all, p. 17).

It is the U.S. studies that offer the most thorough point of comparison. The gender gap in management responsibility remains less than in France and has narrowed somewhat in recent years. Among news people, the percentage of women who "sometimes or regularly" had influence over hiring and firing rose from 12 percent in 1971 (already equal to the French level more than a decade later) to 28 percent in 1982-83 (Lafky, 1991, p. 173). Among U.S. newspaper news people surveyed in 1988, females accounted for 15 percent of the executives starting at the city editor level (ASNE, p. 17).

MARITAL STATUS: News in France, as in the United States, seems to be work for married men but for single women. The female news people surveyed were less likely than the men to be married. This pattern is repeated in the general French population but much less strongly: That is, while all French women are slightly less likely to be married than are French men, the difference between the sexes is greater among news people. Among the population as a whole, 49 of every 100 men were married as compared to 46 of every 100 women (INSEE). However, 63 out of every 100 of the newsmen were married compared with 37 of every 100 newswomen. The rate of divorce among both sexes of news people was similar (10 percent) and slightly higher than for the population as a whole (7.1 percent). The pattern was repeated among card-holders.

U.S. news people have presented a similar pattern based on sex. Forty-two percent of U.S. newswomen in 1982-83 were married compared to 62 percent of the men. Among U.S. newspaper journalists surveyed in 1988, 43.9 percent of the women were married compared to 62.1 percent of the men. That represented a slight increase from 1982 for the newspaper women (up 2.1 percentage points), and a decrease among the men (down 3.1 percentage points).

INCOME: Women in French news work seem to be paid less than males, although the empirical evidence of causality is stronger for the U.S. samples than for the French samples. Among the French news people surveyed in 1988, pay and gender were slightly negatively correlated, with being female associated with a lower salary. That same year, the FR3 television station's journalists' union released a report about the treatment of women: "Not only does a women have less chance than a man to be hired at FR3, but, once there, her chances of promotion and her salary level improve much more slowly than do those of her male colleagues" (Bataille et al, p. 16). The pattern of disparity was also reflected in the broader group of card-holders. Female holders of a journalist's card in 1990 had a media monthly gross income of 12,000 francs (about $2,000) compared to the 14,300 francs reported by their male conterparts (IFP, p. 80). A disparity remained for all but the very lowest age group (25 or under) and for all categories (IFP, p. 51).

Lafky (1989) reported that in both the 1971 and 1982 studies of U.S. news people, gender was found to be a statistically significant predictor of income (p. 169). Her additional regression analysis of the later figures indicated a $6,556 advantage for male journalists in gross annual income based solely on gender (controlling for other factors such as years of experience and size of market) and a $2,700 difference when other factors were considered in a regression equation (Lafky, 1991, p. 171).[2]

PROFESSSIONAL VALUES RESULTS

Three sets of questions in recent studies of news people have addressed professional values. One set that concentrates on the standards of reporting practice had prevously been used in the United States, Great Britain and former West Germany (Johnstone, Slawsky and Bowman, 1976; Kocher, 1986; Weaver and Wilhoit, 1986, 1991; Van Zoonen and Donsbach, 1988; ASNE, 1989; Lafky, 1990). Two other sets, about the role of the journalist in society and about the desirable attributes of a journalistic job, had been used only in the United States (Johnstone, Slawsky and Bowman, 1976; Weaver and Wilhoit, 1986,1991).[3] The questions were posed to a national sample of French news people in as part of a larger study in 1988 (McMane, 1989).

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[2] The salary information for the French was gathered as ordinal data in categories of salary, while the U.S. data were gathered as interval data. The author hopes to replicate Lafky's analysis on subset of the IFP salary data which are interval level.

[3] The earlier studies in Britain and former West Germany asked a different set of role questions that yielded an unacceptable level of "undecided" responses in the French survey

REPORTING PRACTICES:

In the systematic studies in the other countries, researchers examined the level of support for seven reporting practices among male and female journalists in the United States, Great Britian and former West Germany (Lafky, 1990; VanZoonen and Donsbach, 1988). The reporting practices treated in those studies were: divulging confidential sources, paying for confidential information, using a false identity, badgering sources, using personal documents without permission, using confidential governmental or business documents without permission and taking a job to gain inside information. In each country, journalists were asked to indicate whether a particular reporting practice "may be justified" for an important story or whether it would "never be justified." For the study of French journalists, an additional question about false identity was added that removed the impersonation element from hiding one's identity.

For seven of the eight reporting practices, no significant differences were found between male and female news people. The sole exception was the additional identity question that was not posed in the other studies.

The most striking similarity both within and between cultures concerned revealing the names of sources who had been promised anonymity. Male and female news people in France agreed nearly unanimously that anonymous sources should not be revealed. This finding is consistent with earlier studies of U.S., British and West German news people. In all cases, more than nine out of 10 journalists said they would never approve of violating such a promise.

Such congruence between the French and American journalists is remarkable if only because France has never had a shield law to protect journalists who wanted to keep such secrets, while in the United States some states do have such laws. An emphasis on keeping "professional secrets" has been part of journalistic codes of ethics in France since 1918. Efforts have been made in recent years to get legal protection for journalists when they grant confidentiality. The largest French journalistic union, the Syndicat National des Journalistes, called for such a law in 1988. By mid-1992, however, no such a law had been approved. In the United States, the situation varies considerably. For example, South Carolina has no shield law, although efforts have begun to pattern such a law after legislation that exists in neighboring Georgia.

A surprising cultural difference emerged in the question about badgering. An examination of those results is in order because that question also hightlights some of the limitations of empirical comparative study. More than three-fourths of both the male (82 percent) and female (79 percent) French news people approved of the practice for an important story. In the United States, the practice found less approval. The practice was considered justified by 42 percent of the women and slightly, if statistically significantly, more among the men (50 percent). In the earlier studies, badgering found little support in what was then West Germany (8 percent for both sexes) and much stronger support in Great Britain (74 percent among males and 63 percent among females).

The response in France is surprising in light of an apparent tradition of deference by journalists. John Ardagh (1990), a British author of several books on France, described the phenomenon:

> In this centralized and secret society, most journalists rely for their news sources on their personal links with people in positions of influence -- be it with Ministers or civil servants or business tycoons or trade-union barons or leading mayors or other notables -- and they are reluctant to prejudice these sources by making embarrassing revelations (p. 576).

Anne Sinclair, one of France's top political journalists argues that she is an exception to the rule:

> American journalists don't have the reverence we have, that I try not to have. There is much more democracy at play [in the U.S.] -- the politician explains himself, lets himself be pushed around; the game is much more real. In France, the government in power ran the [television] news and it has taken a long time to break free (Blum, 1988).

Further, the kind of tough investigative story that might require badgering someone for information remains a rarity in France. Christine Ockrent worked for seven years with a "60 Minutes" production team in London. "There is a tradition of secrecy in France, and the French are more cynical and far less moralistic in their outlook toward politics. Good and evil in our country are not as simplistic as in yours," she once commented (Kenney, 1983). "American reporting is much more brutal because your culture is much more brutal."

One explanation of the high support for badgering among the French journalists is the image the term could bring to mind in the context of each country. In France, the term could very well convey the image of unrelenting insistence on the part of the journalist in an otherwise civilized, reasonable situation, such as in an interview a subject agreed reluctantly to do. This image is very different from a prominent stereotype of American news-gathering in which an unwilling source is chased down the street by a one or more microphone-wielding reporters. In addition, "informant," the word used in the U.S. study, translates to "source" in French, a word that also means the English word, "source." Thus, the possible nuance of informant as shady character was less apparent in the French study than in the U.S. study. It may be useful in the next round of comparative communicator studies to present a brief scenario of such situations rather than to rely only on a phrase.

Three questions were asked about misrepresentation by journalists, but only one yielded a statistically significant difference in France based on gender. Slightly more than half of both the male and female

French news people agreed that the practice of "getting employed in a firm or organization to gain inside information" might be justified for an important story. In the earlier studies, that practice found decreasing levels of support, with no significant gender differences, as one moved from Britain, where 73 percent of survey respondents supported the practice, to the U.S. (67 percent approving) and to West Germany (36 percent).

On a second question that asked about "hiding your identity as a journalist and pretending to be somebody else," only 40 percent of both male and female French news people approved of the practice with fewer than a third agreeing in the other countries (with no gender differences). The reaction in France fits one longstanding element of French ethical codes (of 1918 and 1935) that warn journalists not to "allow themselves to take on an imaginary title or position" to get information. However, this question also may have been an unknown mix of two kinds of deception: active (impersonation) and passive (not announcing that one is a journalist). Another question was added for the French survey that removed the active impersonation element of the deception by asking if simply not identifying oneself as a journalist, a more passive form of deception, was justifiable. This more passive form of deception was supported by 67 percent of the male journalists and significantly more of the female journalists, 82 percent.

The higher level of support among female news people is very challenging to understand because many factors may be at play and because no results from other countries yet exist that might provide useful comparisons. For example, the U.S. studies found differences based on medium for the more active impersonation question with newspaper journalists less willing than broadcast or newsmagazine journalsits to support the practice. One might also expect differences based on job, with younger journalists, most likely to be reporters, perhaps being more willing to support the practice than older managers. However, a much larger sample would be needed to test these possibilites.

ROLE OF THE JOURNALIST and JOB PERCEPTIONS

Three other questions in the survey, two about roles and one about job perceptions, yielded potentially meaningful gender differences among the French news people.

The roles questions asked respondents to assess the importance of nine things the news media do or try to do: being an adversary of public officials by being constantly skeptical of their actions, investigating government claims and statements, getting information to the public quickly, providing analysis and interpretation of complex problems, providing entertainment and relaxation, staying away from stories where content cannot be verified, concentrating on news that is of interest to the widest possible public, discussing national policy while it is being

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developed and developing cultural and intellectual interests of the public.[4]

In France, the female news people were significantly more likely than the men to support the idea that journalists should investigate government claims and act as adversaries of government. Fifty-seven percent of the women as compared to 37 percent of the men considered investigating government claims "extremely important."[5] The difference was less on the adversarial role. Slightly more than 22 percent of the women considered being an adversary of government as "extremely important," compared to just under 14 percent of the men.[6] Neither role question yielded a significant gender difference for American news people, among whom 20 percent supported the adversary idea and 66 percent supported investigation of government claims (Lafky, 1989).

Another battery asked respondents to assess the importance of nine attributes in judging a news job: pay, fringe benefits, freedom from supervision, the chance to help people, the editorial policy of the organization, job security, the chance to develop a specialty, the amount of personal autonomy and the chance to get ahead in the organization.

None of the job attributes yielded a significant difference at the .05 confidence level among the French, but one came very close. Women were slightly more supportive than men of the idea that one appeal of journalism is the chance to help other people. Among women, 44.3 percent considered that attribute "very important," compared to 34.8 percent of the men. The difference was significant at the .10 level (associated probability was .055). Among U.S. news people in 1983, a difference was significant at the .05 level with 68.9 percent of the women versus 56.6 percent of the men judging the attribute "very important." This question also yielded a substantial cultural difference with 60 percent of all U.S. respondents versus 38.2 percent of all French respondents calling the attribute very important.

DISCUSSION

A key advantage of comparative communicator research is that it has asked the same questions in different countries. Ultimately, this could lead to empirically based theory about the nature of the Western journalist. This commonality of questions is also a disadvantage because other interesting, and perhaps even more telling questions must be left unasked because there is no room left in the survey. This comparative study is no exception.

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[4] Statements were not presented to respondents in this order.

[5] Crosstabulation yielded a chi square statistic of 18.4 with an associated probability of .002

[6] Crosstabulation yielded a chi square statistic of 12.8 with an associated probability of .025.

It is useful to find some tentative support for the idea that the situation of women in French journalism regarding demographics and income seems to mirror in some ways the situation of female journalists in the U.S. In both countries, women are more likely than men to be young, unmarried, with a lower salary and in a lower job rank. The corroborating evidence of these multiple studies provides important support for the notion that gender is really the issue in inequities. To what extent it is the issue globally requires data from all countries that would allow sophisicated multivariate research. For example, Lafky's analysis (1989) of the monetary difference gender alone makes among United States news people requires interval data from a sizeable sample.

That newswomen and newsmen seem to share several standards of reporting practice can be heartening to those who object to contentions that gender may govern and therefore hinder occupational philosophy. The level of agreement gives support, albeit very tentative because of the sample sizes, to the idea that in many ways a journalist is a journalist regardless of gender.[7] Yet the problem of vocabulary and cultural context in the badgering question indicates that scenarios may work better as an alternative and the added question about identity gives a hint that at least one question is really two.

The differences found for the questions about job perceptions and the roles of the journalist give hints about where to probe further. Feminist theory in the late 1980s began to move toward an emphasis on what Pamela Creedon (1989) and other have called a "re-visioning" that would require moving away from an assumption that, as one scholar put it, "the values of the dominant system were somehow a primordial workplace norm" (p. 27). Creedon quoted an earlier scholar who had argued that re-visioning requires "both improving women's position within the existing system and changing the terms of the system itself" (p. 27). In a related argument some years before, Catherine Covert (1981) contended that journalism history do well to change from its emphasis on conflict, autonomy and winning. She suggested that the field would benefit by examining "relationships which have symbolized women over the centuries -- concord, harmony, affiliation, community -- the binding and sustaining qualities that serve to weld individual elements into a complex whole" (p.4). In the context of the ideas of these scholars, the higher support for the idea that a news job should give one the chance to help people (affiliation, community) fits well with the idea that journalism should keep government on a short leash (scrutinizing the norms of the dominant system).

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[7] While the proportion of women in the French sample accurately reflected the proportion of women in the population of French news people, it yields an error margin of plus or minus 2 to 10 percentage points, depending on the statistic, with the highest margin for results that are evenly split.

These values results and the arguments of Creedon and Covert are additionally relevant to an analysis of French female journalists because some French observers have argued that approaches to doing news may have some of those gender attributes.[8] One place where such contentions have emerged in France is in discussions of war coverage. "I think women present a more global image of war," said photographer Christine Spengler during the Iran-Irak conflict. "A woman will, of course, bring back photos of the dead, the hospitals, the soldiers, but you'll also get women, children, markets and houses, not just some ayatollah. My male comrades often provide a stereotyped image of war: calcified bodies, morgues, cadavers by the road. It can sometimes take you ten minutes to determine if it's Lebanon or El Salvador or Vietnam." In their discussion of women in journalism a few years later, Bière and Laufer (1986) made a similar argument:

> Men are perfect for facts; they're crazy about them. We, however, are less fascinated by war, the battle ground, police, guns. We don't like uniforms. They fantasize about being commandos. They scout and play at cops and robbers. It's a big show. Women see things with more reserve, more calmly . . . (p. 73).

The Gulf War of 1990 brought more such arguments. French women who covered the conflict reported some things differently than did the men and noticed they were doing so. "When the Gulf crisis broke out, it was mostly women who did the coverage because most were not married and didn't have children, according to Patricia Coste of Antenne 2 (Combeau, p. 3). "During the Gulf War, the men wanted to go where the army was, to Saudi Arabia. After having been pre-occupied with war for more than 10 years, I find zero fascination for this monotonous subject. I'm more attracted to human subjects, more by stories than by handouts." Dominique Pradalié, also of Antenne 2, noted that a number of her male colleagues remained fascinated by the technological, video-game aspects of the war while the women generally appeared more concerned with the human consequences. "After all," she said, "these bombs fall on people. (Bataille et al, p. 20)." Indeed, such a human-based idea of reporting harkens back to another contention de Beauvoir made so many years ago in her 1949 work. "Women make remarkable reporters," she wrote. ". . . They know how to describe the atmosphere and the people, how to show us the subtle relationships, to take us into the secret corners of their souls" (p. 635). The idea that women going to naturally be better at any of that can certainly be taken to simplistic extremes. History certainly offers examples of men who wrote compellingly about the human side of war. The point here is that the questions in contemporary instruments of systematic communicator research leave little room for exploring these kinds of issues. The questions need re-examining to explore how we go beyond the same old cold hints about what might be going on. Some changes may be as simple as adding a dimension to a list of job perceptions about balancing family and work. That issue arose repeatedly in background literature about French female journalists and has recently re-emerged in the United States with some news women demanding time to be mothers. Some of the earlier studies have been critized for offering hypothetical situations that presented too much of a caricature of reality to be useful. However, gathering reactions to carefully crafted scenarios should not be ruled out as a way to better probe complex attitudes and potential behavior. Did those female French reporters look at how war affected everyday life because of their own experience or because it was their first war or something else?

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[8] For a discussion of U.S. observers who have come to a similar conclusion, see Lafky, 1990, p. 1.

Future studies also need to fold an assessment of the work of journalists into the analysis of attitudes. For example, Lori Bergen (1991) did such an analysis of what American journalists considered to be their "best work" and Philip Gaunt (1989) looked at both attitudes and story selection in his three-country study of regional journalists. Examining what journalists do as well as what they say can only enrich an understanding of who they are.

Finally, communicator research also needs to become less mediacentric. Future comparative studies need to include responses from nonjournalistic samples in each country against which to compare the responses of news people. Only then it will be possible to begin to sort out journalistic differences from cultural differences. For example, based on past studies, we can safely say that journalists strongly disapprove of revealing a confidential source. Yet we do not know to what extent this is an attitude peculiar to journalists. It may be founded in general disapproval among journalists and nonjournalists alike of breaking a promise to keep a secret. The study of gender differences especially calls for a wider sampling strategy. Demographic findings for journalists can be compared unobtrusively to findings about other elements of a population, but attitudional questions must be asked. Such a strategy could help greatly in assessing the actual place and role of women in journalism.

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SUPREME COURT JUSTICE SANDRA DAY O'CONNOR'S FIRST AMENDMENT APPROACH TO FREE EXPRESSION: A DECADE IN REVIEW

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Supreme Court Justice Sandra Day O'Connor's
First Amendment Approach to Free Expression:
A Decade in Review

INTRODUCTION AND OVERVIEW

Justice Sandra Day O'Connor is celebrating her 10th anniversary on the Supreme Court. Just over ten years ago, September 21, 1981, O'Connor became the first female Supreme Court Justice in American history. The media fanfare following her nomination and appointment often focused on her gender. While many journalists and politicians dismissed O'Connor as the Court's "female token," nominated by former President Ronald Reagan in an alleged attempt to improve his party's "gender gap," others focused on how a female perspective might influence a predominantly white, male Court.

Studies of O'Connor's opinions during her first few terms as a Supreme Court Justice claim that her gender and personal experiences with sex discrimination may have led to her generally more supportive role toward women in gender-based discrimination cases than her male counterparts. For example, O'Connor, after graduating third in her class from Stanford University, could not find a job as a lawyer in the private sector. However, these studies also indicate that gender-based cases are the only type in which O'Connor's gender and gender-related experiences seem to have had a significant bearing on her legal opinions.[1]

The majority of Justice O'Connor's opinions seem to be based on her individualized, conservative style of jurisprudence gained from her varied, rich state legislative experience as a deputy county attorney in San Mateo County, California, a private-practice attorney in Phoenix and an Arizona state senator.[2]

Although O'Connor's legal approach was well-documented before her Supreme Court appointment, the manner in which she would apply her legal orientation to constitutional issues, especially first amendment cases focusing on freedom of speech and press issues, remained relatively unknown. Freedom of expression cases rarely appeared on Arizona Court of Appeals dockets.

On the contrary, a large portion of the Court's dockets during the past 10 years has focused on expression cases. These cases varied dramatically, ranging from challenges to doctors' rights to advise patients about abortions, to state rights to place a special tax on newspapers or cable. O'Connor's decisions in approximately 100 of these cases, including her 21 written opinions, have greatly influenced not only individual litigants, but the functioning of the American constitutional system as well.

This paper analyzes Justice O'Connor's approach to freedom of expression cases during her first decade as a Supreme Court Justice. It examines all of her written opinions during this time frame, 21 majority, concurring, and dissenting opinions, in an attempt to determine a pattern in her rulings and to predict how she will rule in future such cases.

For purposes of the study, the freedom of expression cases have been classified into poltical and nonpolitical expression categories. Cases classified as "political expression" fell into one of the following subcategories: (1) a type of speech necessary to ensure "that debate on public issues. . .will be uninhibited, robust, and wide open," including "vehement, caustic, and sometimes unpleasantly sharp attacks on government and public officials";[3] (2) press and public access to information about all government branches' activities; or (3) the right to spend money on prefered candidates or issues and/or to affiliate with others in support of candidates or issues. If a case did not fit into one of these categories, it was classified as nonpolitical.

Section I examines Justice O'Connor's general legal orientation and jurisprudence. Justice O'Connor strives for a more restrained Court. Her approach echoes her philosophy that the Court should further limit its judiciary interference into the functioning of the federal government's coordinate branches. Justice O'Connor's approach to federalism is illustrated by her attempts to protect state government functions. Justice O'Connor also argues for limited constitutional protection for individuals. These views lead to Justice O'Connor's general judicial approach: She attempts to protect government interests, especially those of the states, from extensive court regulations. And when balancing individual rights and government interests, she tends to favor the latter.[4]

Section II illustrates the links between her legal orientation and her first amendment approach. Justice O'Connor tends to apply her basic judicial approach directly to free expression cases.[5]

Section III examines whether Justice O'Connor's judicial approach is influenced by a theoretical stance that allows extra protection for political speech. While a study based solely on Justice O'Connor's written opinions cannot be conclusive, the present study suggests that her opinions reflect a coherent theory of constitutional interpretation supporting Alexander Meiklejohn's view that the first amendment's primary aim is to protect political speech.[6]

I. JUSTICE O'CONNOR'S LEGAL ORIENTATION/JURISPRUDENCE

Justice O'Connor's attempts to limit the judiciary's interference with the federal government's coordinate branches underline many of her legal opinions. This approach is based on her strong belief in the need for a more restrained Court.[7] The judicial restraint she tends to exercise while deciding cases is illustrated by her predominantly procedural approach.

In every Supreme Court case, each Justice needs to consider two important, different issues: a case's substantive legal questions and its particular procedural history. Justices who emphasize one of these aspects over another may expose their views on the Supreme Court's role. When Justices emphasize substantive legal questions over procedural ones, they may be suggesting an aggressive desire for the Court to rule on specific substantial legal questions. On the contrary, when Justices, as O'Connor, emphasize a procedural background approach, they may be suggesting that specific substantive results are less important than procedural ones. This approach suggests the Court should resolve legal questions only when absolutely necessary.[8]

Although Justices have used the procedural approach to mask substantive positions and to promote a desired result without having to openly defend them, no studies on O'Connor's legal approach suggest that she employs this tactic.

O'Connor's tendency toward a procedural approach, along with her approach to stare decisis and statutory construction, reflect her adherence to traditional limitations on judicial conduct. Although Justice O'Connor technically adheres to such traditional limitations, she also tends to stretch them.

For example, she does not limit her procedural approach to each case's legal context. She also focuses in on each case's political context or posture within the constitutional system. When examining cases, she often takes notice of the crucial responsibilities of officials in other levels and branches of government. She then reaches conclusions from those responsibilities that limit the scope of judicial power.[9]

Legal scholars Cordray and Vradelis summarize this approach as follows:

> Her approach transcends traditional judicial restraint: Not only should the Court avoid ruling on substantive legal issues where possible, but the Court should also interpret these issues, and the Constitution itself, so as to limit judicial intrusions upon the coordinate branches of government. This position denies that the Court's role

> should be shaped merely by its responsibility to protect individual rights. Instead, the Court must also respect the democratic exercise of the power to govern. According to this view, the power is reposed primarily in the politically responsible branches of government and must not be unduly hindered by the aggressive exercise of judicial power.[10]

Justice O'Connor's paradoxical approach can be confusing. On one hand, she strongly supports "traditional" judicial restraint. However, on the other hand, she sometimes promotes "activist" judicial restraint, radical limitations in an attempt to limit judicial power over government functions.[11]

"Traditional" Judicial Restraint

Justice O'Connor practices traditional judicial restraint in many ways. First, she often writes concurring opinions in an attempt to limit the Court's power. For example, in California v. Trombetta, her concurring opinion summarized the Court's decision as comprising only three "well-settled propositions."[12]

Second, she often protests when either the Court settles issues she believes are being tried in the wrong place or when it makes decisions that she doesn't deem necessary to dispose of a case.[13] For example, in Philko Aviation, Inc. v. Shacket, Justice O'Connor joined the Court's opinion except insofar as it suggested a resolution of an issue not presented to it.[14] And in Edgar v. MITE Corp., Justice O'Connor rejected the Court's resolution of an issue that she found unnecessary in deciding the case.[15]

Third, Justice O'Connor stresses that the courtroom is often not the best setting for resolving legal issues. In Firefighters Local Union No. 1784 v. Stotts, she strongly suggested that this case, and many others, should be settled voluntarily.[16]

O'Connor's adherence to traditional judicial restraint is further defined by her approach to stare decisis and statutory construction.

When in her stare decisis mode, she is often reluctant to disturb prior decisions that she does not agree with, especially when normal procedures have supported such decisions. For example, in Patsy v. Board of Regents, Justice O'Connor's concurring opinion "reluctantly" agreed that the exhaustion of state administrative remedies wasn't a prerequisite to a specific action, thus supporting the Court's settled interpretation of congressional intent. However, while supporting the Court, she declared that she found this policy unsound at best.[17]

Although O'Connor is often reluctant to disturb prior decisions, this reluctance doesn't prevent her from reaching substantive issues. O'Connor's strong dissent in City of Akron v. Akron Center for Reproductive Health, Inc., one of three companion abortion cases, illustrated her willingness, with sufficient justification, to depart from the principle of stare decisis.[18] In this case, the Court reaffirmed its Roe v. Wade decision, which established a trimester approach for determining the permissible boundries of abortion laws.[19] Although Justice O'Connor agreed with the Court's argument that stare decisis is one of the most important judicial foundations, she asked the Court to reject Roe v. Wade's trimester approach since it was based on "a completely unworkable method of accomodating the conflicting personal rights and compelling state interests that are involved in the abortion context."[20] Justice O'Connor attempted to legitimize her request by highlighting past decisions that applied the stare decisis principle less rigidly in constitutional cases, especially when the Court recognized previously faulty logic.

Justice O'Connor's approach to statutory construction is marked by her constant attempts to limit judicial interference into the legislative process. She generally attempts to interpret statutes in a manner which limits judicial power. When examining statutory language, O'Connor often follows the general rule that the analysis "must begin with the language of the statute itself and that absent a clearly expressed legislative intention to the contrary, the language must ordinarily be regarded as conclusive."[21]

She illustrates her "plain meaning" approach in Immigration and Naturalization Service (INS) v. Phinpathya.[22] Here, the INS attempted to deport a Thai couple. The couple fought this attempt, claiming they had been "physically present" in America for more than seven years. They argued that since aliens must live in America for seven continuous years to become American citizens, the American government had no right to deport them. The immigration judge determined that while the husband met this continuous seven-year requirement, the wife did not, due to a short vacation abroad. Accordingly, the judge dismissed the case against the husband, but continued proceedings against the wife.

When the case came before the Supreme Court, Justice O'Connor supported the judge's ruling. She argued that since the law clearly stated the continuous seven-year rule, the Court had no right to make any exceptions to it. She said legislative history supported strict legal interpretations, and if Congress desired less rigid laws, it would have to temper them itself.[23]

As Justice O'Connor stated:

> It is not the function of this Court. . .to apply the finishing touches needed to perfect legislation. Our job does not extend beyond attempting to fathom what it is that Congress produced, blemished as the Court may perceive it to be.[24]

She argued that while the Court has some right to interpret statutory language that makes no "logical sense," it shouldn't interpret statutory language that makes no "policy sense."[25]

"Activist" Judicial Restraint

When Justice O'Connor takes an activist approach to judicial restraint, she seems to promote the philosophy that the greatest threat to the legal system is an increase of federal judicial power. Her goal is to safeguard, whenever possible, the integrity of the separate branches of government. Accordingly, she promotes narrower limits on judicial power and greater deference toward the federal government's coordinate branches.[26]

Justice O'Connor's concern about judicial interference in the legislative process, which is reflected by her "plain meaning" approach to statutory construction, is demonstrated by her approach to judicial review of legislation. She frequently tries to convince the Court to minimize its constitutional blockage of legislative action.

For example, Justice O'Connor promotes the practice of construing statutes to avoid, whenever possible, settling constitutional issues. In her concurring opinion in South Carolina v. Regan, she admitted construing the statute in order not to threaten the Court's original jurisdiction.[27] And in cases in which the Court is forced to strike down legislation and choose among various constitutional provisions to support its action, Justice O'Connor often makes the untraditional argument that the Court should choose the provision least likely to get in the way of further legislative action.[28]

Federalism and State Judiciaries

Since Justice O'Connor has held prominent state government positions, it's no surprise she tries to limit federal action in order to safeguard the many functions of state government. She views the states as individual political units that should be given as much autonomy as possible. This view shapes her approach to the relationship between federal and state courts. Justice O'Connor views fellow judiciaries not as incompetent children, but equal partners struggling to achieve mutual goals. Her high regard for state judiciaries is illustrated by her attempt to prevent the Court from reviewing state cases that have not exhausted state remedies or that the state judiciary has settled on adequate and independent state grounds.

Her exhaustion of state remedies approach is an attempt to ensure that the state judicidary has been given adequate opportunities to resolve cases before federal court intervention is allowed.[29]

On the other hand, her adequate and independent state grounds approach supports the general Court rule that when state judicial claims are valid, the Court should decline review since its decision would not change the state court's. Such a decision would be advisory only, thus placing the Court into an inappropriate authoritarian role. This approach also opposes the occasional Court practice of examining state laws by itself. She argues this practice leads to the Court into deciding unfamiliar issues of state law instead of specific federal questions under review.[30]

Private Rights versus Authority to Govern

Justice O'Connor's strong belief that federal judicial intervention into state judiciary business should be restrained, whenever possible, leads to her view on government versus individual rights. Justice O'Connor tends to defer to government interests when balancing those interests with individuals' rights. She argues individual rights and protections have been interpreted too broadly, while state government's needs have been neglected.[31]

Her approach to constitutional protections further supports her tendency to rule in government's favor. When balancing the collective interest in strong government against the legitimate fear of the potential abuse of government power, she often tips the scale in support of government power.[32]

II. JUSTICE O'CONNOR'S FIRST AMENDMENT DECISIONS

In light of Justice O'Connor's general legal orientation and jurisprudence, one would expect her expression opinions to reflect her tendency to support government interests over individual rights. However, no previous study has explored, in any detail, whether Justice O'Connor's general judicial approach is reflected in her expression decisions. By viewing her expression cases in light of her judicial approach, the present study suggests that Justice O'Connor approaches expression cases in much the same manner as most other types of cases, with exceptions when dealing with political speech and press issues.

This section focuses on how Justice O'Connor's general judicial approach is applied in expression cases.

"Traditional" Judicial Restraint

Justice O'Connor practiced traditional judicial restraint in the majority of the 21 expression opinions examined for this study. In these cases, she demonstrated her tendency to interpret each piece of legislation according to its "plain meaning;" to avoid resolving constitutional issues; to criticize the Court for resolving issues that, in her opinion, should have been settled at the state level; and to avoid disturbing prior decisions.

Justice O'Connor's concurring opinion in Brockett v. Spokane Arcades, Inc. illustrates many of these tendencies, especially those of adhering to procedural history and to defer cases to the state level.[33] In addition, Justice O'Connor's opinion in Frisby

v. Schultz illustrates her tendency to support each statute's "plain meaning."[34]

In Brockett, individuals and corporations supplying sexually-oriented movies and books asked the Court to declare facially invalid a new Washington state obscenity statue. Justice O'Connor rejected this first amendment challenge, basing her argument on both procedural history and what she called the Court's "error" of ruling on a case based on unresolved "questions in state law."[35] She condemned the Court for hearing this case before Washington state courts were given the opportunity to do so. She argued that:

> In Railroad Commission v. Pullman Co.[36] the Court held that where uncertain questions of state law must be resolved before a federal constitutional question can be decided, federal courts should abstain until a state court has addressed the state questions (see also Hawaii Housing Authority v. Midkiff[37]). This doctrine of abstention acknowledges that federal courts should avoid the unnecessary resolution of federal constitutional issues and that state courts provide the authoritative adjudication of questions of state law.
>
> Attention to the policies underlying abstention makes clear that in the circumstances of these cases, a federal court should await a definitive construction by a state court rather than precipitously indulging a facial challenge to the constitutional validity of a state statute.[38]

In addition, Justice O'Connor argued that cases such as Brockett should first be heard by state bodies. State bodies do not only possess a better understanding of state statutes, but it's their rightful duty to grapple with local statutes, such as with obscenity, that affect the quality of life in their own specific region. She stated that:

> My strong belief in deferring to the construction of a state statute given it by the lower federal courts. . . reflects our belief that district courts and courts of appeal are better schooled in and more able to interpret the laws of their respective states. . . . There can be no doubt that a state obscenity statute concerns important state interests. Such statutes implicate "the quality of life and the total community environment, the tone of commerce in the city centers and, possibly, public safety itself."[39]

In Frisby v. Schultz, Justice O'Connor demonstrated her constant attempts to determine, as clearly as possible, each statute's legal intentions and/or "plain meaning."[40] In this case, Justice O'Connor stated the majority opinion that a municipal ordinance prohibiting picketing in front of any specific residence, while allowing more general picketing in residential areas, serves significant government interests in protecting residential privacy and is narrowly tailored. Accordingly, the ordinance did not violate the first amendment. In typical fashion, Justice O'Connor supported her argument with a strict legal interpretation. She argued that:

> The ordinance. . .cannot be read as containing an implied exception for peaceful labor picketing. Its use of the singular form of the words "residence" and "dwelling" suggests that it is intended to prohibit only picketing focused on, and taking place in front of, a particular residence. The lower court's contrary interpretation of the ordinance. . .constitutes plain error, and runs afoul of the well-established principle that statutes will be intepreted to avoid constitutional difficulties.
>
> Viewed in the light of the narrowing construction, the ordinance allows protesters to enter residential neighborhoods, either alone or marching in groups; to go door to door to proselytize their views or distribute literature; and to contact residents through the mails or by telephone, short of harassment.[41]

Justice O'Connor's tendency to practice traditional judicial restraint is reflected in her many approaches to free expression cases. First, she writes many concurring opinions limiting the Court's power. For example, in *Globe Newspaper Co. v. Superior Court*, her concurring opinion supported first amendment protection for the right of the public and press to attend criminal trials, but rejected any broader implications.[42]

Second, she protests the Court's decision to hear cases that she claimed were wrongly before the Court and/or the Court unnecessarily ruled on. For example, in *Peel v. Attorney Registration and Disciplinary Commission Of Illinois*, the Court ruled that attorneys had the first amendment right, under proper commerical speech standards, to advertise certification as trial specialists by the National Board of Trial Advocacy (NBTA).[43] Taking the opposite position, Justice O'Connor's dissenting opinion sided with the state court's argument that it had a better idea than the Supreme Court of whether such legal advertisements would mislead its residents. Accordingly, she argued that the Court should honor the lower court's previous decision.

Third, Justice O'Connor's approach to stare decisis is illustrated by her reluctance to disturb prior decisions. The O'Connor opinion that comes closest to supporting this assertion is found in *Rust v. Sullivan*, one of the Court's most recent, controversial decisions.[44] In this case, the Court voted 5-4 to uphold federal regulations that deny specific federal funding to family planning clinics that mention abortion as a legitimate family planning method. Although Justice O'Connor had previously stated her personal opposition to abortion and, in Rust, welcomed future, "more explicit" legislation questioning a woman's right to an abortion, she wrote a dissenting opinion refusing to support these regulations.

She based her opposition on the fact that these regulations assaulted an 18-year tradition that required family planning clinics to provide abortion information and that the regulations were based on legislation so ambiguous that they would have been immediately struck down under less political circumstances.

Regardless of whether or not Justice O'Connor agrees with specific prior decisions, she tends to leave them undisturbed, that is, unless she determines that the Court has supported prior decisions based on faulty logic.[45]

For example, Justice O'Connor claimed that three cases dealing with attorneys' first amendment rights to advertise their services were based on faulty logic. She argued that in all three cases, Zauderer v. Office of Disciplinary Counsel of Supreme Court of Ohio, Shapero v. Kentucky Bar Association, and Peel v. Attorney Regulation and Disciplinary Commission of Illinois, the Court mistakenly based its decisions on the same faulty premises, which were developed in Zauderer.[46]

In Zauderer, the Court's majority opinion argued that:

> An attorney may not be disciplined for soliciting legal business through printed advertising containing truthful and nondeceptive. . .advice regarding the legal rights of potential clients.[47]

The Court's ruling was based on its commercial speech analysis in both Central Hudson Gas & Electric Corporation v.

Public Service Commission of New York and *In re R.M.J.*[48] *Central Hudson* established that the state is only allowed to prohibit truthful and nondeceptive commerical speech if the restriction directly advances a substantial government interest. *In re R.M.J.* established a state cannot put an absolute prohibition on certain types of potentially misleading information if this information can also be presented in a nondeceptive manner. The Court argued that the advertising in question was truthful and not misleading and thus its restriction would serve no substantial state interest. It then concluded that less restrictive means exist to prevent attorneys from using misleading legal advice to entice clients. As stated in *Warner-Lambert Co. v. FTC*, "The States can indentify unfair or deceptive legal advice without banning that advice entirely."[49] Based on the above line of reasoning, the Court ruled against Ohio's ban on attorneys offering unsolicited legal advice.

The Court also used this line of reasoning, its *Zauderer* precedent, to decide the *Shapero* and *Peel* cases. In *Shapero*, the majority held that the state could not prohibit laywers from soliciting legal business through truthful, nondeceptive letters sent to potential clients known to be facing specific legal problems.[50] In *Peel*, the majority ruled that attorneys had the first amendment right to advertise their certification as trial specialists by the National Board of Trail Advocacy (NBTA).[51] Both Court decisions relied heavily on the *Zauderer* precedent. In both cases, the Court based its decisions on its assertion that the commercial speech at hand was constitutionally protected, both items were truthful and not misleading, and the Court had no right to restrict such speech since its restriction would not serve or advance a substantial state interest.[52]

Justice O'Connor wrote dissenting opinions in all three cases. Although she stated that the Court correctly applied Zauderer in both Shapero and Peel, the fact that Zauderer itself was based on faulty logic meant all three decisions were wrongly decided. As Justice O'Connor stated in Shapero:

> I agree with the Court that the reasoning in Zauderer supports the conclusion reached today. That decision, however, was itself the culmination of a line of cases built on defective premises and flawed reasoning. As today's decision illustrates, the Court has been unable or unwilling to restrain the logic of the underlying analysis within reasonable bounds. The resulting interference with important and valid public policies is so destructive that I believe the analytical framework itself should be reexamined.[53]

From the beginning of this string of attorney advertising cases, Justice O'Connor strongly stated her opposition to the Court's line of reasoning. In Zauderer, she claimed the Court's faulty decision was based on its lack of emphasis on the important differences between professional services and consumer products. Justice O'Connor argued that, contrary to the Court's view, unsolicited legal advice is not comparable to free consumer samples distributed to promote sales. She argued that since it's typically much more difficult for a layperson to evaluate quality legal services than free samples, the practice of offering unsolicited legal advice to drum up business is much more likely to be misleading. Attorneys are obliged to provide complete, disinterested advice. Since advice contained in unsolicited, free "legal samples" is likely to be biased, this practice undermines professional standards that states have a substantial interest in maintaining. Given the availability of alternative means for attorneys to publicly comment on legal topics (through speeches, articles, etc.), a ruling against attorneys giving legal advice in advertisements is an appropriate means to help insure that professional judgment, not financial gain, prompts legal advice.[54]

Justice O'Connor used her own line of reasoning in Zauderer as a precedent supporting both of her dissenting opinions in Shapero and Peel. She said that the Shapero decision "had even more potential for abuse (than Zauderer)," thus the state had a greater substantial interest in striking it down.[55] By applying the Zauderer precedent to Shapero, Justice O'Connor claims that:

> The (Court), by invalidating a similar rule against targeted, direct-mail advertising, wrapped the protective mantel of the Constitution around practices that have even more potential for abuse.[56]

She said a normal lay person usually understands the underlying sales pitch of normal "personalized form letters." However, it's more difficult for him to distinguish between such a sales pitch and legitimate legal advice when such a letter states an attorney's familiarity and interest in his specific legal problem. Since this practice is even more likely to mislead than the practice in Zauderer, the Court had even more reason to reject it.

Justice O'Connor used her same argument for rejecting Zauderer and Shapero in the Peel case, in which she called the majority decision "(Y)et another (negative) example. . .of rote application of the commerical speech doctrine."[57] She argued that since the mention of NBTA certification could easily mislead a lay person, the Court, once again, should have applied this "fact" to her Zauderer line of reasoning and, accordingly, should have rejected this practice.

Justice O'Connor, on occasion, is also known to stretch the limits of traditional judicial restraint. In such cases, she attempts to determine which officials at various government levels and branches should be held responsible for the issue at hand. She then argues these officials, not the Court, should grapple with the specific issue, thus limiting the scope of judicial power.

Justice O'Connor clearly illustrates this approach in the Board of Education v. Pico case.[58] In this case, her dissenting opinion rejected a first amendment challenge to a school board's decision to remove certain books from its curriculum and library. She based her argument on "the broad scope of the board's responsibilities."[59] She argued that:

> If the School Board can set the curriculum, select teachers, and determine initially what books to purchase for the school library, it surely can decide which books to discontinue or remove from the school library so long as it does not also interfere with the right of students to read the material and to discuss it. . . . In this case the government is acting in its special role as educator.
>
> I do not personally agree with the Board's action with respect to some of the books in question here, but it is not

> the function of the courts to make the decisions that have been properly relegated to the elected members of the school boards. It is the school board that must determine educational suitability, and it has done so in this case.[60]

"Activist" Judicial Restraint

Justice O'Connor's activist approach to judicial restraint is also reflected in her expression cases. This approach is illustrated in her frequent attempts to convince the Court to minimize its constitutional blockage of legislative action and to avoid, whenever possible, settling constitutional issues.

For example, in Rust v. Sullivan, the Court upheld the Secretary of Health and Human Services' regulations that denied specific federal funding to family planning services presenting abortion as a family planning option. Justice O'Connor's dissenting opinion scolded her brethren for ignoring two well-established "fundamental rules of judicial restraint": to strike down regulations based on clearly ambiguous legislation and to restrain from considering constitutional questions under such circumstances.[61] Justice O'Connor argued that:

> This Court acts at the limits of its power when it invalidates a law on constitutional grounds. In recognition of our place in the constitutional scheme, we must act with `great gravity and delicacy' when telling a coordinate branch that its actions are absolutely prohibited absent constitutional amendment.
>
> In this case we need only tell the Secretary that his regulations are not a reasonable interpretation of the statute; we need not tell Congress that it cannot pass such legislation. If we rule solely on statutory grounds, Congress retains the power to force the constitutional question by legislating more explicitly. It may instead choose to do nothing. That decision should be left to Congress; we should not tell Congress what it cannot do

> before it has chosen to do it. It is enough in this case to conclude that neither the language nor the history of these regulations compels the Secretary's interpretation, that the interpretation raises serious First Amendment concerns.[62]

Federalism and State Judiciaries

The present study supports findings that Justice O'Connor's decisions are littered with references and actions supporting her view that federal actions should be limited in order to safeguard the functions of state government. Accordingly, she attempts to prevent the Court from reviewing cases that haven't exhausted state remedies or that the state judiciary has found to be on "adequate and independent state grounds."[63]

In Brockett v. Spokane, Justice O'Connor's concurring opinion criticized the Court for not exhausting state remedies. She argued that the Court "erred" by ruling on a case based on unresolved questions of state law instead of rightfully refusing it.[64] The Court's acceptance of the case denied the state courts their right to attempt to clarify state law before having the matter taken out of their hands. Justice O'Connor stated:

> Although federal courts generally have a duty to adjudicate federal questions properly before them, this Court has long recognized that concerns for comity and federalism may require federal courts to abstain from deciding federal constitutional issues that are entwined with the interpretation of state law.[65]

In Brockett, Justice O'Connor also criticized the Court for overstepping its bounds by second-guessing state law. She argued that:

> (The Court's) absention may be required `in order to avoid unnecessary friction in federal-state relations, interference with important state functions, tentative

> decisions on questions of state law and premature constitutional adjudication.' Speculation by a federal court about the meaning of a state statute in the absence of prior state court adjudication is particularly gratuitous when, as in the case here, the state courts stand willing to address questions of state law on certification from a federal court.
>
> In my view , the state court should have been afforded an opportunity to construe the Washington moral nuisance law in the first instance.[66]

In Peel v. Attorney Registration, Justice O'Connor argued in her dissenting opinion that the state judiciary had already appropriately ruled on the attorney-advertising certification issue.[67] Accordingly, the Court should have supported the Supreme Court of Illinois' decision. Justice O'Connor stated that:

> Charged with the duties of monitoring the legal profession within the State, the Supreme Court of Illinois is in a far better position than is this Court to determine which statements are misleading or likely to mislead. Although we are the final arbiters on the issue whether a statement is misleading as a matter of constitutional law, we should be more deferential to the State's experience with such statements. Illinois does not stand alone in its conclusion that claims of certification are so misleading as to require a blanket ban. At least 19 States and the District of Columbia currently ban claims of certification.[68]

Private Rights versus Authority to Govern

Cordray and Vradelis predicted in their 1985 study of Justice O'Connor's jurisprudence that if her basic legal approach was strongly reflected in her first amendment decisions, her predominate approach to expression cases would be as follows:

> Justice O'Connor would tend to decide expression cases by accepting the competing interests between government and individual rights presented by various Justices and then would argue that the Court's majority opinion had struck a balance too protective of individual rights.[69]

The present study supports this hypothesis. In 14 of the 21 cases examined, Justice O'Connor clearly ruled against first amendment challenges promoting individual rights. In all but one of these rejections, she took the approach of agreeing with many of the Justices' arguments about the individual's and government's competing interests, yet ruled against the Court's majority opinions on the grounds they were too protective of individual rights.

Of the seven remaining cases, only three, all press cases, illustrate any type of lesser trend. Justice O'Connor began her analysis of all three cases by directly tackling the constitutional question at hand, either by interpreting the Framers' first amendment intentions or presenting relative precedents that have ruled in favor of the press. She then ruled in the press' favor. The only press-related case within the present study that doesn't fit this scenario is Leathers v. Medlock, which will be discussed later.[70]

Justice O'Connor's tendency to support the Justices' scenario of conflicting government and individual rights, yet to criticize the Court for majority opinions favoring the latter, is illustrated in Brown v. Socialist Workers '74 Campaign Committee and United States, Petitioner v. Kokinda.[71]

In Brown, the minor Socialist Workers Party challenged an Ohio statute requiring candidates for political office to disclose all campaign-fund contributors and recipients.[72] The Court found this statute unconstitutional, based on the first amendment's inferred right to privacy and the absence of a compelling state interest to justify mandatory disclosure.

Justice O'Connor, in partial dissent, disputed the scope of the Court's decision.[73] Although she agreed with the Court that the statute was unconstitutionally applied to require disclosure of minor party contributors, she argued she would have upheld compulsory disclosure of campaign-fund recipients. She accepted the Court's version of competing governmental and individual interests, yet critcized the Court for being too protective of individual rights. Justice O'Connor argued that state interests in preventing improper electoral conduct remained strong even when the statute was applied to minor parties. After all, minor parties were just as likely as major ones to practice corrupt activities that could affect an election's outcome.

Finally, she argued that recipients' associational rights were less threatened than contributors'. Recipients are typically oridnary businesses or active campaigners. As such, their political beliefs are easily ascertained and thus not threatened by disclosure. However, she argued, contributors' political views are only exposed when they contribute to a campaign and such contributions are made public.

Justice O'Connor also seemed to side with judicial arguments about the balance between individual and government rights, then criticize her brethren for being too lenient with individual rights. For example, in Kokinda, her majority opinion argued that the Court of Appeals wrongly overthrew the United States

District Court's decision to prosecute defendants, members of a political advocacy group soliciting contributions on the sidewalk infront of a post office, in clear violation of Postal Service regulations.[74]

Justice O'Connor seemed to acknowledge that the Court of Appeals had adequately described the competing interests between government and individual rights. However, she claimed its "misguided" decision to favor individual rights in this instance was based on its incorrect finding that the sidewalk was a public forum. Based on this assumption, the Court of Appeals applied the time, place, manner test and determined that the government had no significant interest in banning solicitation. Finally, it concluded that the postal regulation was not narrowly tailored to accomplish a specific government interest.

Justice O'Connor led the Court in reversing this decision, arguing that first amendment activity may be regulated, on "reasonable grounds," when the government property in question has not been treated as a traditional public forum or dedicated to first amendment activity.[75] This reasonableness test must then meet nonpublic fora standards: it must be reasonable and non-content based. She argued that the postal sidewalk is not a traditional public forum just because "it resembles the municipal sidewalk across the parking lot from the post office. The sidewalk was constructed solely. . .for passage of individuals with postal business, not as a public passageway."[76] She then attacked the claim, argued by several justices and the defendants, that the Postal Service had indeed dedicated itself to expressive activity, via its normal practice of posting public notices. She argued that:

> The Postal Service has never expressly dedicated its sidewalk to any expressive activity. Postal property has only been dedicated to the posting of public notices on designated bulletin boards. A practice of allowing individuals and groups to leaflet, speak, and picket on postal premises and a regulation prohibiting disruptive conduct do not add up to such dedication. Even conceding that the forum has been dedicated to some First Amendment uses, and thus is not a purely nonpublic forum, regulation of the reserved nonpublic uses would still require application of the reasonableness test.[77]

Justice O'Connor went on to argue how the regulation met the reasonableness guidelines. She explained that:

> It is reasonable for the Postal Service to prohibit solicitation where it has determined that the intrusion creates significant interference with Congress' mandate to ensure the most effective and efficient distribution of the mails. . . . Whether or not the Service permits other forms of speech, it is not unreasonable for it to prohibit solicitation on the grounds that it inherently disrupts business by impeding the normal flow of traffic. Even if more narrowly tailored regulations could be promulgated, the Service is only required to promulgate reasonable regulations, not the most reasonable or only reasonable regulation possible.[78]

Justice O'Connor's less common approach to expression cases deals with her treatment of press cases. This approach is illustrated by her consideration of the Framers' views toward first amendment protections and/or relative precedents that support press freedom.

In Minneapolis Star & Tribune Co. v. Minnesota Commissioner of Revenue, she demonstrated her adherence to the Framers' intents underlying the first amendment.[79] Justice O'Connor's majority opinion focused on the purposes of the first amendment, even though the challenged statute was invalidated. In this case, Minnesota imposed a special use tax, instead of a regular state sales tax, on the press' paper and ink products. The tax's special exemptions resulted in heavy tax burdens on a handful of publishers.

Justice O'Connor led the Court in striking down the tax as a violation of press freedoms. Her opinion was based on her analysis of the underlying reasons for the first amendment's protection of the press. After admitting that this approach was anything but traditional since little evidence actually exists concerning the Framers' intentions, she stated: "But when we do have evidence that a particular law would have offended the Framers, we have not hesitated to invalidate it on that ground alone."[60] She argued such "evidence" is clearly stated by the Framers in the debates over ratification of the Bill of Rights. In these debates, the Framers argue that differential taxation of the press is a specific evil that the first amendment is intended to prevent.

Justice O'Connor then attempted to balance the burden of singling out the press against the state's asserted interest. She said:

> We think that recognizing a power in the State not only to single out the press but also to tailor the tax so that it singles out a few members of the press presents such a potential for abuse that no interest suggested by Minnesota can justify the scheme.[61]

In Philadelphia Newspapers Inc. v. Hepps, Justice O'Connor bases her majority opinion on precedents favorable to the press and the philosophy that "speech of public concern is at the core of the First Amendment's protections."[62] In this case, Hepps, a principal stockholder in General Programming Inc., and his associates, sued the Philadelphia Inquirer for libel due to its series of investigative articles alledging their connections with organized crime and attempts to influence Pennsylvania's governmental process. The Court ruled against Hepps and associates since the story was a matter of public concern and they were unable to prove the alleged defamation false. The Court argued that:

> The First Amendment requires anyone who sues the media for libel in connection with a matter of public concern to bear the burden of proving with clear and convincing evidence that the defamatory statements are false. State courts are not permitted to hold to the common law assumption of falsity in media libel cases. Strongly suggested is that such action, directed at news media treatment of a public issue, cannot survive unless the plantiff has convincing evidence of a false and defamatory assertion of fact."[63]

Justice O'Connor's arguments were based on precedents supporting press interests, such as Gertz v. Welch and New York Times Co. v. Sullivan,[64] and promoted the philosophy that the press must be given the type of extra protection that the Court granted it in Hepps in order to avoid a harmful chilling effect. She stated that:

> A chilling effect would be antithetical to the First Amendment's protection of true speech on matters of public concern. We believe that a private-figure plaintiff must bear the burden of showing that the speech at issue is false before recovering damages for defamation from a media defendant. To do otherwise could `only result in a deterrence of speech which the Constitution makes free.'[65]

Justice O'Connor argued that although the <u>Hepps</u> ruling would at times result in the press escaping libel charges due to the plaintiff's inability to prove charges false, this shortcoming is a price worth paying in order to retain a freer press. She explained that:

> The First Amendment requires that we protect some falsehood in order to protect speech that matters. . . . Here the speech concerns the legitimacy of the political process, and therefore clearly `matters.' Speech of public concern is at the core of the First Amendment protections.[86]

III. O'CONNOR'S APPROACH TO POLITICAL VERSUS NONPOLITICAL SPEECH

Now that the present study has indicated that Justice O'Connor's approach to expression cases is similar to her judicial approach to most issues, it's time to examine how her theoretical view of political versus nonpolitical expression influences such decisions.

According to legal scholars Heck and Arledge, who analyzed Justice O'Connor's expression decisions during her first three terms on the Court, Justice O'Connor's approach to expression cases "reflects a coherent theory of constitutional interpretation broadly consistent with Alexander Meiklejohn's view that the primary purpose of the first amendment is the protection of `political speech.'"[87]

Meiklejohn, who advocated one of the most influential theories of first amendment interpretation, argued that the first amendment does not support a right to speak as one chooses, but instead an "unlimited guarantee of the freedom of public discussion."[88] Meiklejohn argues that since the government is founded on the freedom of public discussion, the first amendment applies "only to speech which bears, directly or indirectly, upon issues with which voters have to deal."[89] Accordingly, private speech--speech aimed solely at private gain--does not fall within first amendment protection.

Heck and Arledge supported this theory via three hypotheses. They argued that if Justice O'Connor was more protective of political speech than nonpolitical speech, the following should occur:

> 1. Justice O'Connor would be favorably inclined to support few litigants invoking the protecton of the first amendment for nonpolitical speech, while supporting a substantially higher percentage of first amendment claims involving political speech;
>
> 2. Her opinions will support a theoretical approach to first amendment freedom of expression issues generally consistent with Meiklejohn's "primacy of political speech" position without endorsing his view that the protection of political discussion is absolute;
>
> 3. And she will recognize the greatest degree of first amendment protection when a government regulation directly restricts the activities of the press.[90]

The present study supports Heck and Arledge's theory that Justice O'Connor tends to be more protective of political than nonpolitical speech.

In order to determine Justice O'Connor's theoretical approach to political versus nonpolitical expression cases, the present study's cases were divided into political and nonpolitical categories. For purposes of this study, political expression cases were defined as those containing manifest political content seeking influence on public issues. Expression cases not falling under this definition were categorized as nonpolitical.

Of the present study's 21 cases, nine were classified as political and 12 as nonpolitical. Four of the nine political expression cases focused on press issues (this study contained only four press cases) and three of the nonpolitical expression cases focused on obscenity.

In the majority of nonpolitical expression cases (eight of twelve), Justice O'Connor ruled against individual rights. In the four remaining cases, only one clearly supported individual rights. Of the remaining three, two struck a balance between individual and government rights while the third was vacated and remanded for being overbroad.

In a slight majority of the political expression cases (five of nine), Justice O'Connor ruled in favor of individual rights. Her support for political expression cases was strongest when they were press related. In three out of four political press cases (all press cases were categorized as political), she ruled in favor of individual and press rights over government ones.

The present study clearly suggests Justice O'Connor is more likely to support government rights in nonpolitical cases than in political cases. Conversely, it also clearly suggests she is more likely to support individual rights in political cases. What remains unclear is the extent of Justice O'Connor's commitment to protecting nonpress-related political speech.

In the present study's nine political cases, Justice O'Connor decided in favor of individual rights in a 5-4 majority. Three of the five majority votes were press-related. If the press cases were not included in this political category, Justice O'Connor would have ruled in favor of individual rights in only two of five political speech cases. This may indicate that Justice O'Connor's interest in protecting political speech is reserved mainly for press-related issues.

This assertion is further supported by the manner in which Justice O'Connor argues nonpress-related political cases as opposed to press-related political cases. For example, while supporting individual rights in the two nonpress-related political cases, Federal Election Commission v. Massachusetts Citizens for Life and Rust v. Sullivan, she does not preach the dire need to protect political speech, as she does in the majority of the political press cases.[91]

In Massachusetts Citizens, Justice O'Connor's decision, concurring in part and in the judgment, lacks the type of intense commitment to political speech that the present study's numbers suggest. In this case, the Federal Election Commission brought enforcement proceedings, under the Federal Election Campaign Act, against a nonprofit organization for publishing a newsletter urging readers to vote "pro-life" in an upcoming primary election. The Court argued that although this newsletter violated the section of the Act prohibiting direct expenditure of corporate funds in connection with elections to public office, the section it violated was applied in violation of the first amendment.[92]

While Justice O'Connor "signed on" to several of the Court's major arguments, which dealt with the importance of political speech, her concurring opinion's defense of political speech was lackluster. She argued that:

> In my view, the significant burden on the Mass Citizens for Life (MCFL) in this case comes not from the disclosure requirements that it must satisfy, but from the additional organizational restraints imposed upon it by the Act. . . . As the Court has described, engaging in campaign speech requires MCFL to assume a more formalized organizational form and significantly reduces or eliminates the sources of funding for groups such as MCFL with few or no `members.' These additional requirements do not further the Government's informational interest in campaign disclosure, and, for the reasons given by the Court, cannot be justified by any of the other interests identified by the Federal Election Commission.
>
> Although the organizational and solicitation restrictions are not invariably an insurmountable burden on speech, in this case the Government has failed to show that groups such as MCFL pose any danger that would justify infringement of its core political expression.[93]

Justice O'Connor spoke much more passionately in her dissenting opinion in Rust v. Sullivan. However, her outrage was directed at her brethren's lack of decorum in deciding this politically spotlighted case, not at the need to protect political speech.[94]

Justice O'Connor wrote opinions in four political press cases. Two of these, Hepps and Globe Newspapers, focus on press content. The other two, Minneapolis Star and Leathers, focus on taxation of the media. Justice O'Connor wrote the majority opinion in three out of four of these cases.[95] (She wrote the majority opinion in two out of five nonpress political cases.) As the present study indicates, Justice O'Connor's approach to press cases reflects her view that the greatest degree of first amendment protection should be given to the press.

The manner in which Justice O'Connor argues Minneapolis Star strongly suggests her greater support for political cases involving the press. In this case, Justice O'Connor zealously promoted press freedom as a means to protecting political core speech.[96]

As stated in the previous examination of Justice O'Connor's judicial approach, she began this argument by suggesting the Framers' would not have agreed with the Minnesota tax. According to O'Connor, her argument is supported by the Framers' debates on the need for the Bill of Rights. The Antifederalists support for the Bill of Rights led to its adoption. As Justice O'Connor stated:

> There is substantial evidence that differential taxation of the press would have troubled the Framers of the First Amendment. . . . The remarks of Richard Henry Lee are typical of the rejoinders of the Antifederalists:
>
> > "I confess I do not see in what cases the Congress can, with any pretense of right, make a law to suppress the freedom of the press; though I am not clear that Congress is restrained from laying any duties whatever in printing and from laying duties particularly heavy on certain pieces printed...."[97]
>
> The fears of the antifederalists were well founded. A power to tax differentially. . .gives a government a powerful weapon against the taxpayer selected. When the State imposes a general applicable tax, there is little cause for concern. We need not fear that a government will destroy a selected group of taxpayers by burdensome taxation if it must impose the same burden on the rest of its constituency.

> But when the State singles out the press, the political constraints that prevent a legislature from passing crippling taxes of general applicability are weakened, and the threat of burdensome taxes is acute. That threat can operate as effectively as a censor to check critical comment by the press, undercutting the basic assumption of our political system that the press will often serve as an important restraint on government.[98]

Justice O'Connor's arguments in political press cases focus more on the need to protect core political speech than her nonpress political speech cases.

In Hepps, in which a major stockholder and associates sued the Philadelphia Inquirer for libel, Justice O'Connor's majority opinion is based on the philosophy that speech of public concern holds special first amendment protections. In Hepps, O'Connor delivers a direct appeal for protecting political speech via a press case rather than a nonpress speech case.

Justice O'Connor argued that:

> ...the Constitution requires us to tip (the scale) in favor of protecting true speech. To ensure that true speech on matters of public concern is not deterred, we (the Court) hold that the common law presumption that defamatory speech is false cannot stand when a plaintiff seeks damages against a media defendant for speech of public concern."[99]

Although the present study indicates that Justice O'Connor has the greatest tendency to promote political press cases, her recent decision in Leathers v. Medlock suggests O'Connor is not always supportive of the press. Her majority opinion in this case, favoring government interests, focuses on taxation, not content.[100] Her approach to taxing the media in this case contradicts her majority opinion in Minneapolis Star.[101] In Minneapolis Star, Justice O'Connor argued that a selective press tax was unconstitutional. Although the *Leathers* case concerned a selective tax on cable, not newspapers, Justice O'Connor argued that cable should be dealt with in the same manner as the the press. Then, in direct opposition to the *Minneapolis Star* opinion, she called a selective cable tax constitutional. Justice O'Connor explained that:

> Although cable television, which provides news, information, and entertainment to its subscribers, is engaged in "speech" and is part of the "press" in much of its operation, the fact that it is taxed differently from other media does not in itself raise First Amendment concerns.[102]

Although Leathers may indicate a new anti-press stance for O'Connor, the fact that this most recent case concentrated on taxation and not content makes it difficult to predict if her press attitudes have changed. O'Connor's strong support of the press in the other three cases, which focused mostly on content, indicates they have not.

CONCLUSIONS

This study analyzes Justice Sandra Day O'Connor's approach to First Amendment speech protections. Twenty-one cases in which O'Connor wrote opinions were examined. Twelve were non-political expression cases, nine dealt with political expression. The political expression cases were further divided into political speech and political press categories. Four of the nine political expression cases involved the press, two focusing on taxation issues, two on content.

Based on her written opinions, O'Connor is more protective of political speech than nonpolitical speech. In the majority of non-political cases, she ruled against individual rights to free speech. In the majority of political expression cases, she ruled in favor of individual rights. She seems to follow Meiklejohn's "primacy of political speech" position without endorsing his view that the protection of political discussion should be absolute. Furthermore, O'Connor shows the strongest support for first amendment protections in her opinions in political expression cases involving the press.

If her past record is any indication of her views, one can expect O'Connor to continue to be a strong supporter of first amendment press rights, Leathers not withstanding.

ENDNOTES

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5. Ibid., 448.

6. Alexander Meiklejohn, Political Freedom: The Constitutional Powers of the People (New York: Harper, 1960).

7. Cordray and Vradelis, 394.

8. Ibid., 392-93.

9. Ibid., 393-94.

10. Ibid., 393.

11. Ibid., 394.

12. California v. Trombetta, 104 S.Ct. 2528, 2536 (1984).

13. Cordray and Vradelis, 395.

14. Philko Aviation, Inc. v. Shacket, 462 U.S. 406, 414-15 (1983).

15. Edgar v. MITE Corp., 457 U.S. 624, 655 (1982).

16. Firefighters Local Union No. 17684 v. Stotts, 104 S.Ct. 2576, 2593-94 (1984).

17. Patsy v. Board of Regents, 457 U.S. 496, 517 (1982).

18. City of Akron v. Akron Center for Reproductive Health, Inc., 462 U.S. 416, 454 (1983).

19. Roe v. Wade, 410 U.S. 113 (1973).

20. Cordray and Vradelis, 399.

21. Ibid., 403.

22. Immigration and Naturalization Service (INS) v. Phinpathya, 104 S.Ct. 584 (1984).

23. Ibid.

24. Federal Bureau of Investigation (FBI) v. Abramson, 456 U.S. 615, 644 (1982).

25. Cordray and Vradelis, 405.

26. Ibid., 408.

27. South Carolina v. Regan, 104 S.Ct. 1107, 1125 (1984).

28. Cordray and Vradelis, 418.

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31. Cordray and Vradelis, 437.

32. Ibid.

33. Brockett v. Spokane Arcades, Inc., Et Al., 472 U.S. 491 (1984).

34. Frisby v. Schultz, 108 S.Ct. 2495 (1988).

35. 472 U.S. 508 (1984).

36. Railroad Commission v. Pullman Co., 312 U.S. 496 (1941).

37. Hawaii Housing Authority v. Midkiff, 467 U.S. 229, 236-237 (1984).

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39. Ibid.

40. 108 S.Ct. 2500 (1988).

41. Ibid.

42. Globe Newspaper Co. v. Superior Court, 457 U.S. 596, 611 (1982).

43. Peel v. Attorney Registration and Disciplinary Commission of Illinois, 110 S.Ct. 2281 (1990).

44. Rust v. Sullivan, 111 S.Ct. 1759 (1991).

45. Cordray and Vradelis, 399.

46. Zauderer v. Office of Disciplinary Counsel of Supreme Court of Ohio, 105 S.Ct. 2265 (1985); Shapero v. Kentucky Bar Association, 108 S.Ct. 1916 (1988); and 110 S.Ct. 2281 (1990).

47. 105 S.Ct. 2265 (1985).

48. Central Hudson Gas & Electric Corp. v. Public Service Commission of New York, 100 S.Ct. 2343 (1980); In re R.M.J., 102 S.Ct. 929 (1982).

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51. 110 S.Ct. 2281 (1990).

52. 110 S.Ct. 2297 (1990).

53. 108 S.Ct. 1925 (1988).

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58. Board of Education, Island Trees Union Free School District No. 26 v. Pico, 457 U.S. 853 (1982).

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60. 457 U.S. 921 (1982).

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70. Leathers v. Medlock, 111 S.Ct. 1438 (1991).

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80. 103 S.Ct. 1371 (1983).

81. Ibid.

82. Philadelphia Newspapers, Inc. v. Hepps, 106 S.Ct. 1558, 1564 (1986).

83. 106 S.Ct. 1564 (1986).

84. Gertz v. Welch, 418 U.S. 323 (1974); and New York Times v. Sullivan, 376 U.S. 254 (1964).

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86. Ibid.

87. Heck and Arledge, 995.

88. Meiklejohn, 37.

89. Ibid., 79.

90. Heck and Arledge, 1005.

91. Federal Election Commission v. Massachusetts Citizens for Life, Inc., 107 S.Ct. 616 (1986); and 111 S.Ct. 1759 (1991).

92. 107 S.Ct. 616 (1986).

93. 107 S.Ct. 632 (1986).

94. 111 S.Ct. 1789 (1991).

95. 457 U.S. 596 (1982); 103 S.Ct. 1365 (1983); 106 S.Ct. 1558 (1986); and 111 S.Ct. 1438 (1991).

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97. Richard Henry Lee, "Observation Leading to a Fair Examination of the System of Government, Letter IV," reprinted in 1 B. Schwatrz, The Bill of Rights: A Documentary History 466, 474 (1971).

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Romancing the Coffee:
New Trends in Contemporary Product Advertising

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ABSTRACT

Romancing the Coffee: New Trends in Contemporary Product Advertising

This paper examines the creative, media and promotional strategies used by McCann-Erickson in their current campaign for Taster's Choice coffee. While the campaign has generated a great deal of attention for its use of a TV serial format, the authors argue that the campaign is an exemplar of a shift in national product advertising from a primarily cognitive (product feature) orientation to one that integrates affective (audience member feeling) elements. Implications for contemporary product advertising are discussed.

Romancing the Coffee: New Trends in Contemporary Product Advertising

One of the most highly awaited first dates occurred on Wednesday, February 26, 1992. It wasn't a first date between Madonna and a contentious film star; it wasn't a date between Gennifer Flowers and an aspiring political candidate. It was the first date between Sharon and Tony, the two neighbors featured in Taster's Choice coffee's current advertising campaign.

For nearly two years, viewers have watched the sparks fly between these two characters. Nestlé Beverage headquarters has been swamped with letters from viewers complimenting the company on the ads. *People* magazine announced that the series of ads "may become the sexiest soap opera on TV" ("Sex by the cupful ...," 1991, p. 94). The ads' status as popular culture icons has been validated by a *Saturday Night Live* parody. More importantly, the campaign functions as an extremely effective means of generating attention for the brand. This paper explores the advertising campaign, analyzes the elements that have made it such a phenomenal success, and discusses the campaign as a harbinger of a major shift in national product advertising.

The Competitive Situation

Coffee is big business in the United States. The industry sells $3.9 billion of coffee per year, excluding specialty shops which account for an additional estimated $1 billion business. Nevertheless, with health-conscious consumers concerned about the effects of caffeine, and the growing popularity of soft drinks, retail coffee sales have been in a general decline since the peak year of 1962. The $640 million instant coffee segment alone suffered a 10.85% drop in sales in 1990. The National Coffee Association reports that in 1962 75% of Americans were drinking coffee with an average of 4 cups per day, but by 1990 those figures had plummeted to 52.4% of the population drinking coffee with only 1.73 cups consumed per person per day. According to NPD Group's National Eating Trends Service, in 1990 a mere 17.1% of all at-home meals and snacks included coffee. Therefore, the industry is confronted with a worrisome present and an uncertain future.

The two leaders in the coffee industry are Kraft General Foods (a division of Philip Morris and maker of Maxwell House coffee) and Procter & Gamble (maker of Folgers). KGF has roughly a 35% share of the ground as well as the instant coffee markets, while P & G has about 33% of the ground coffee market and 25% of the instant coffee market. Both companies have aggressively pursued the goal of a dominant market position in the coffee industry, with each spending close to $100 million on advertising in 1990 to promote its major brand. However, because of the intense competition, KGF and P & G have "cheapened their products' images by offering coupons and price cuts" (Saporito, 1990, p. 100). Consequently, profit margins are so low that the two coffee giants need to move a high volume of coffee to achieve a significant profit.

In contrast, Nestlé has approximately 16% of the ground and 33% of the instant coffee market. Taster's Choice, the mainstay of Nestlé's instant coffee business, is positioned as a premium brand. Actually, since its entry into the market in 1967, Taster's Choice had to be repositioned. As the first major brand to introduce freeze-dried instant coffee, Taster's Choice easily garnered the #1 position in the market. In 1979, Taster's Choice outsold its nearest competitor by a greater than 2-1 margin. A new and "improved" Taster's Choice was introduced in 1982. Taster's Choice remained the #1 instant coffee in 1984 with a 20% market share. However, by 1985, the dominance of Taster's Choice had begun to erode and Nestlé realized that market segmentation was the key to its future in the coffee industry. As a result, Nestlé switched advertising agencies for Taster's Choice from Leo Burnett to HBM/Creamer of Pittsburgh and scrapped the "Times like these are made for

Taster's Choice" campaign in favor of a repositioning focusing on flavor with "The choice for taste is Taster's Choice."

Nestlé aggressively pursued the decaffeinated market in 1986. In fact, Taster's Choice's comparative ads were so aggressive against Sanka that they were brought before the National Advertising Board and Nestlé was forced by the networks to temper its ads and delete references to Sanka. Then, in 1988, Nestlé switched the Taster's Choice account to Della Femina. By 1989, with Taster's Choice holding a 17.3% market share, leaving it #3 behind Folgers (at 23.1%) and Maxwell House (at 21.8%), Nestlé moved the Taster's Choice account to McCann-Erickson, and went with the present campaign. Thus, a market niche has been created by targeting a segment of consumers willing to spend more for quality. In this way, Nestlé has managed to have a profitable coffee trade, despite having a much smaller share of the market, an advertising budget one-fifth that of its competitors, and a firm determination to remain on the sidelines in the "coffee wars."

The "Sophisticated Taste" Campaign

The story of the present campaign began in September 1989, when Nestlé consolidated its coffee business with McCann-Erickson Worldwide, NY. McCann-Erickson picked up Nestlé's $25 million account from Della Femina, McNamee WCRS. Nestlé felt that it did not need two agencies to handle its coffee business, and realignment was planned in September 1988 (*Advertising Age,* September 11, 1989, p. 116). In addition, all media buying was consolidated at McCann-Erickson which set up a separate group -- Comcord Group -- to service the account.

McCann-Erickson proposed a serial format when it won the account. The original format focused on 5 friends in their 40s "who gathered at a beach house where they failed at a souffle" (Lev, 1991, p. D19). This campaign was quickly dropped in favor of an Americanized version of McCann-Erickson's successful campaign for Gold Blend coffee, Nestlé's British version of Taster's Choice. During the 18 months after the introduction of the campaign in 1987 in Great Britain, sales for Gold Blend jumped 20%. In addition, Gold Blend's market share rose from 8% in 1987 to 11% in 1988.[1] The tabloids in Great Britain follow the series, with readers even sending in script suggestions and drafts (Dagnoli & Bowes, 1991).

The "plot" of the first two U. S. ads parallels the first two ads used in Great Britain. Two single neighbors meet by chance, and develop a relationship based largely on their "good taste" in coffee. In addition, the same actors, Anthony Head and Sharon Maughan, are featured because, as McCann-Erickson VP Irwin Warren notes, "the chemistry between the two people is so fantastic" ("Taster's Choice Brews ...", 1991, p. 6B). A soap opera style format was adopted, as in Great Britain, making it the first national TV advertising campaign in America to run as a serial.

Although serialized entertainment is a hallmark of commercial television, the technique has been employed to a very limited degree in advertising. For example, Pacific Bell, in a campaign created by Foote, Cone & Belding Communications, used a serial format to promote the use of the telephone as a way to stay in touch with friends and family (Lev, 1991). It told the story of friends Garland and Lawrence, and charted their relationship over seven decades, including their affections for mutual sweetheart Mary Ellen. Pacific Bell followed with a series called "Rain Children," which depicted a brother and sister who tried to keep their family together. Nissan and Pizza Hut are the only other companies to have experimented with serial ads ("Taster's Choice Brews ..., 1991).

Serial formats are uncommon in advertising because they hold potential risks. Former Foote, Cone & Belding executive Robert Black notes, "You have to involve the audience in a very positive way. You have to entertain them as well as get across your product message" (Lev, 1991, p. D19). Further, serial formats pose problems for media planners. "Everything has to be much more integrated," reported George Hayes, VP/director of

McCann-Erickson's media group, Comcord. "Over and above the usual questions of demographics, you have to get into the mind-set of the people who you would want to keep track of the couple" ("Taster's Choice Flirts ...," 1991, p. 3).

The first Taster's Choice ad (see Appendix for storyboards[2]) broke in November 1990. In that ad, viewers are introduced to "fortysomething" neighbors Sharon and Tony. Sharon comes over to Tony's apartment to borrow coffee for her dinner party. The sexual tension between the two characters is evident immediately. Tony offers Sharon a jar of Taster's Choice, noting that it is a "sophisticated coffee." Sharon accepts the jar. In spot #2 (March 1991), Sharon stops by to return the coffee. Tony, however, is entertaining another woman, and is unable to invite Sharon in. In spot #3 (September 1991), Tony arrives late for a dinner party at his sister's, coming just in time for coffee. Tony's sister is about to introduce him to Sharon, when he notes that they have already met. Sharon observes "We share the same taste in coffee." Tony invites Sharon to dinner. In spot #4 (March 1992), Sharon and Tony have had their first date, and share after-dinner coffee. However, they still have not shared their first kiss.

Building upon the serialized campaign by integrating the advertising with a unique $5 million consumer and trade promotion, Taster's Choice launched the "Most Romantic First Date" Contest in June 1992. The contest was introduced through teaser ads in the June issues of *Ladies' Home Journal* and *McCall's*, and then fully revealed in July magazine spreads, an FSI that dropped in Sunday Supplements in newspapers nationwide, and in-store merchandising (see Appendix for examples). Follow up ads will also appear in the October issues of both magazines. The June and October advertorials in *McCall's* will be based on a joint survey on romance. Television advertising tied in with the contest consists of four different vignettes airing on ABC from June 15 to July 15 featuring popular stars from each of ABC's soap operas recounting their character's most romantic first date and other romantic moments, and incorporating the fourth Taster's Choice commercial.

To enter the contest, consumers are asked to submit an essay describing their most romantic first date. Entries will be judged on the basis of romance, originality, creativity and writing skills. Another contest for the best in-store displays is open to the Taster's Choice sales force and grocery trade. Winners from both the consumer and trade contests and their guests will be flown to Los Angeles for a romantic weekend getaway that includes a banquet with Sharon and Tony, and a sneak preview of the 5th episode in the commercial series.

In a separate promotional effort, Nestlé and Turner Home Entertainment have announced that Taster's Choice will sponsor the MGM/UA 50th Anniversary commemorative edition of *Casablanca* on home video. Taster's Choice will present a vignette at the beginning of the tape and provide other promotional support to enhance the association of Taster's Choice with the *Casablanca* love story. In the meantime, America waits in suspenseful anticipation to learn what will happen in the next episode of Sharon and Tony's romance which Taster's Choice is expected to unveil on national television in mid-September 1992.

Effectiveness of the Campaign

From both an advertising and public relations[3] perspective, the campaign appears to be a success; the ads have generated a great deal of awareness and involvement, capturing the imagination of the American public. Thousands of viewers have written to express their enthusiasm and encouragement for the "brewing" romance. An unusual number of stories about the campaign have appeared both in the advertising trade press as well as the consumer press, and on broadcast outlets such as CNN radio news, the CBS Evening *News* and *Good Morning America*. Moreover, Taster's Choice is experiencing a 10-12% increase in sales. According to Nielsen Marketing Research, the brand held a 27.3% share of the instant coffee market in the fourth quarter of 1991 and Nestlé Beverage reports that Taster's Choice is now the number one selling brand of instant coffee in the United States.

In addition, the success of the Taster's Choice campaign is confirmed by *AdWeek* 's annual report on advertising efficiency. The reports are drawn from ad recognition surveys conducted by the Opinion Research Corporation. Each survey consists of 1,000 randomly selected adults, who are asked whether they recall ads for 10 product categories. Average weekly retained impressions are calculated by projecting the survey's ad recognition responses on to the total U. S. population, and then dividing by the number of weeks in the year. Weekly TV media spending is drawn from Arbitron's Broadcast Advertisers Reports (BAR). Finally, an "Efficiency Quotient" -- cost per retained impression -- is derived by dividing average weekly TV spending by average weekly retained impressions (*AdWeek*, March 5, 1990, p. 29).

Table 1 presents the average weekly retained impressions for the leading coffee brands from 1986 through 1990, the latest year for which data is available. Table 2 presents the average weekly TV spending and Table 3 lists the cost per retained impression for the leading coffee brands from 1986 to 1990. Figure 1 compares average weekly TV spending for Taster's Choice to its average weekly retained impressions from 1986 to 1990, while Figure 2 compares average weekly TV spending for Taster's Choice to the cost per retained impression during the same time period.

TABLE 1
Average Weekly Retained Impressions (in millions) for Leading Coffee Brands

Year	1986	1987	1988	1989	1990
Brim	10.8	6.0	8.3	3.7	
Folgers	33.7	30.2	112.4	103.4	108.1
Hills Bros.	5.9	5.2	13.8	12.9	11.2
Maxwell House	30.3	21.8	73.8	90.4	87.6
Sanka	9.2	9.7	26.4	20.3	13.0
Taster's Choice	6.5	7.9	12.9	14.8	26.1
Nescafe			5.1	5.5	3.7
MJB					5.6

Source: AdWeek's Marketing Week

TABLE 2
Average Weekly TV Spending (in thousands) for Leading Coffee Brands

Year	1986	1987	1988	1989	1990
Brim	177	27.20	8.6	8.8	
Folgers	661	689.90	403.6	1400.4	1222.9
Hills Bros.	63	37.70	67.8	67.4	74.4
Maxwell House	501	266.10	183.0	1279.2	1343.9
Sanka	245	260.10	275.6	249.3	199.0
Taster's Choice	203	160.90	112.9	253.1	65.2
Nescafe			169.4	148.5	9.1
MJB					51.8

Source: AdWeek's Marketing Week

TABLE 3
Cost Per Retained Impression for Leading Coffee Brands

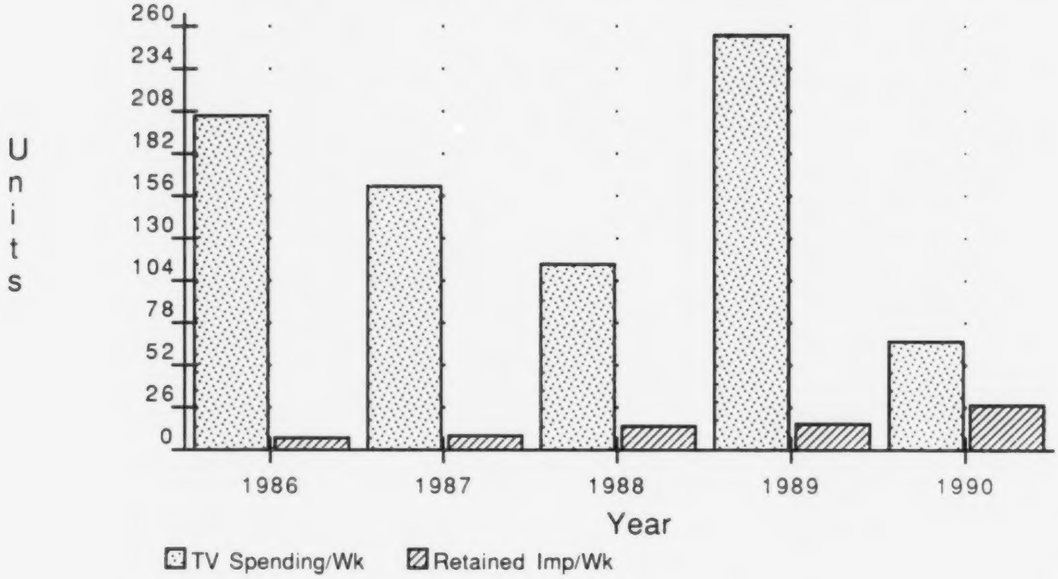
Year	1986	1987	1988	1989	1990
Brim	16.39	4.53	1.04	2.38	
Folgers	19.61	22.84	3.59	13.54	11.31
Hills Bros.	10.68	7.25	4.91	5.22	6.64
Maxwell House	16.53	12.21	2.48	14.15	15.34
Sanka	26.63	26.81	10.44	12.28	15.31
Taster's Choice	31.23	20.37	8.75	17.10	2.50
Nescafe			33.22	27.00	2.46
MJB					9.25

Source: AdWeek's Marketing Week

Figure 1

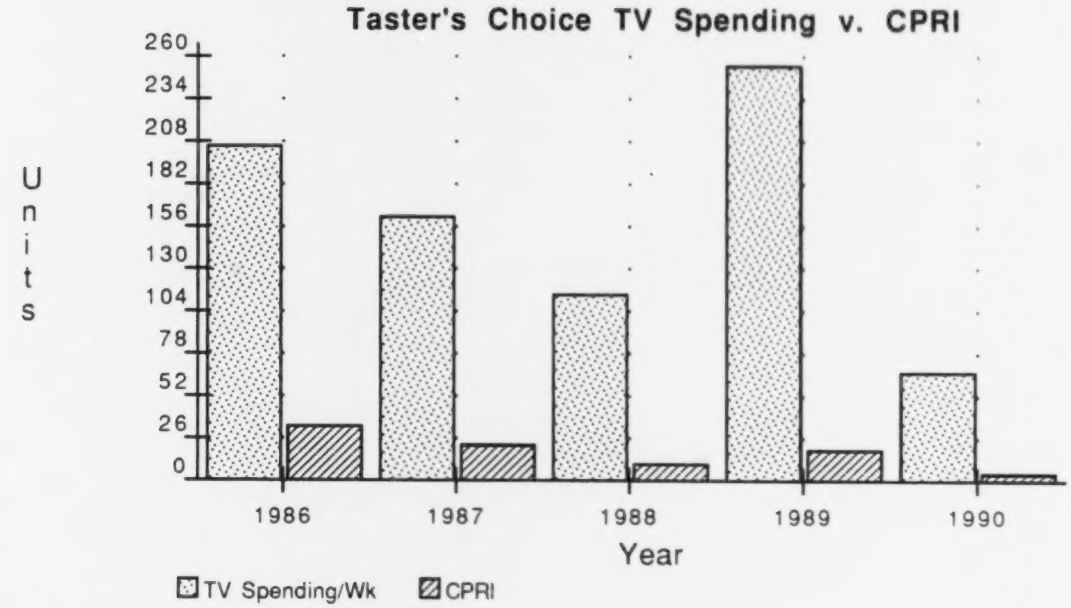
Taster's Choice Average TV Spending per Week v.

Average Weekly Retained Impressions



Note: Units for TV Spending per Week are in Thousands of Dollars

Figure 2



Note: Units for TV Spending per Week are in Thousands of Dollars
Units for CPRI are in Dollars

As seen from Figures 1 and 2, in general, when Taster's Choice decreased advertising spending, it increased the number of weekly retained impressions and increased efficiency with a lower cost per retained impression. However, the data for 1990 reflecting the introduction of the current campaign is truly phenomenal. In 1990, Taster's Choice's average weekly retained impressions almost doubled, jumping 176% from the 1989 level, although Taster's Choice's average weekly TV spending dropped by some 75% to 26% of the 1989 budget. Consequently, the cost per retained impression (CPRI) dropped 85%: the 1990 CPRI is 15% of the 1989 CPRI.

In sharp contrast, during the same time period, Folgers' and Maxwell House's average weekly retained impressions, media spending, and cost per retained impression remained basically stable. As such, in 1990, Maxwell House outspent Taster's Choice by 2061% and Folgers outspent Taster's Choice by 1876%. And yet, the Taster's Choice advertising campaign was more than 6 times as efficient as Maxwell House advertising and more than 4.5 times as efficient as Folgers' media campaign.

Moreover, it is interesting to note that the Taster's Choice campaign seems to have effected the dynamics of coffee advertising at the heart of one of its most basic premises -- the greater the media spending, the greater the retained impressions. From 1986 to 1989, Folgers invested more money than any other brand to have the highest average weekly TV presence and elicited the highest level of retained impressions. In 1990, Maxwell House increased its media budget to become the top brand in average weekly TV spending, outspending Folgers by 9%. Nevertheless, Maxwell House was not the brand with the largest number of average weekly retained impressions, an aberration all the more surprising since Folgers achieved that distinction in 1989 with the same 9% lead in TV spending. Thus, Nestle´ has forged an approach to coffee advertising strategy that defies traditional notions about the relative importance of message content and frequency of exposure. In other words, romance conquers all.

Analysis of the campaign

Creative Strategy

One problem befalling coffee marketers is that coffee has been sold largely as a commodity -- and therefore, low involvement -- product with very little brand loyalty, product differentiation and consumer interest in advertising information. For instance, research has shown that the majority of instant coffee purchasers, especially high income consumers, when confronted with a brand stockout at a supermarket are more likely to switch brands than to buy the desired brand at another store or delay the purchase to a later visit to the same store ("Customer's behavior ...," 1968). Further, only 19% of respondents indicate that they use information from ads in making purchase decisions on food items (Bucklin, 1965). Therefore, the goal of the most effective advertising must be "more than getting a trial and repeat purchase of a product. ... The consumer must *adopt* the brand. Until that time, he's always vulnerable to competing brands"("Instill 'brand loyalty'," 1979, p. 26).

Skillful use of creative advertising can build brand involvement by linking the brand to a high-involvement situation. Unlike low involvement strategies that emphasize the sheer number of message repetitions to increase the persuasive influence of a campaign, message content becomes key (Robertson, Zielinski & Ward, 1984). For example, Eveready batteries (a low involvement product) advertises its product in high-involvement situations (car broken down on a deserted road, with driver dependent on flashlight for help). By such executional repositioning, Eveready is able to draw more viewer attention to its TV ads and, ultimately to the benefits of its product. MacInnis, Moorman and Jaworski (1991) outline several ways that creative executions can enhance consumers' motivation and opportunity to learn information about a product from advertising by increasing consumer involvement.

One way to heighten attention to an ad is to incorporate *appeals to intrinsic hedonic needs*. The Taster's Choice ads employ two clear appeals of this type. The first is the product-related appeal to the "sophisticated taste" of Taster's Choice. The implication is that consumers will be treated to a pleasurable taste experience not found in competitive brands. A second appeal is the image-related appeal of sexuality. The sexual tension between Tony and Sharon connotes to the viewer that Taster's Choice coffee is linked to romantic and sexual opportunities -- a definite form of pleasure for consumers. Thus, Taster's Choice uses romance and sexuality as a high involvement situation.

A second way to increase the processing of brand information is to *enhance the relevance of the brand to the self.* One method of doing that is to create dramas in which brand benefits are illustrated in the form of a story. The Taster's Choice campaign employs a continuing storyline that demonstrates a variety of contexts in which coffee is consumed. Such stories as well as personal interviews with the actors on television and in magazines, and the "Most Romantic First Date" essay contest, grand prize and survey all create empathic identification with the characters in the ads, thereby enhancing consumer involvement and attention to the product (Deighton, Romer & McQueen, 1989).

A third way to raise the level of consumer involvement is to use *sources similar to the reader/viewer who proclaim the brand's benefits* to capture attention. Such use promotes vicarious emotional responses because consumers often perceive substantial goal congruity between a similar source and the self (Anderson, 1985). The Taster's Choice ads are aimed at a specific audience, as typified through the ads. Simmons market research reveals that the target market for Taster's Choice includes 35-54 year old, college educated, upper middle class women. The character of Sharon fits the target market profile, and the character of Tony fits an idealized male counterpart. Moreover, it is interesting to note that in terms of research on food shoppers' purchase decisions, women use more information than men, and more educated respondents, 35-49 year olds, and those with high socioeconomic standing tend to utilize the most information (Pearce, 1976). In essence, the Taster's Choice campaign is targeting the very market that is the most likely to use the information presented about the product in making purchase decisions.

Finally, executional cues that *enhance curiosity* are also effective. The use of a serial format to present the product helps to generate curiosity. As demonstrated by letters sent to Nestle´ Beverage Co., viewers are hooked in to what will happen next in Tony and Sharon's relationship. The use of the serial format makes the ads distinctive from other campaigns, giving them wide attention.

Part of the explanation for why such creative executional techniques work is from research conducted on brain lateralization. It is thought that the left hemisphere of the brain processes linear information (such as reading or mathematics), and controls analytical thinking. The right hemisphere of the brain is viewed as the part of the brain that processes mental and spatial images, and controls emotional response. Therefore, the print media relate to the left hemisphere of the brain, while television relates to the right brain. Krugman (1967) suggests that high-involvement advertising strategies that appeal to the left brain induce consumer evaluation of product information. Alternatively, low-involvement strategies that appeal to the right side of the brain tend to produce an emotional bond with the product message that can lead to left brain activity. Interactive imagery, blending information with images and emotion, uses both hemispheres of the brain, and thus is more effective than appealing to either half of the brain alone; advertising effectiveness is increased with the use of interactive imagery (Lutz & Lutz, 1977). For example, previous research has demonstrated that the use of music integrated with product information is effective (Kretchmer & Carveth, 1988).

Taster's Choice

The Taster's Choice campaign represents a tour de force in exploiting brain lateralization through interactive imagery. The "brewing romance" sets an emotional tone, while the ads never fail to stress the product name or the product attributes (i.e. rich taste). Each ad presents brand and product information. Each ad depicts a jar of Taster's Choice. Each ad shows a close-up of a steaming cup of Taster's Choice coffee with the corresponding copy: "Savor the sophisticated taste of Taster's Choice." Each ad also employs coffee drinking as an integral part of the action (eg., dinner party, coffee drinking after a date). In other words, viewers of the ads are provided with brand recognition and product attributes. By focusing each ad on the product in some way, the campaign exploits the benefits of emotional appeals, but does not fall prey to the pitfalls of image ads which, as Jim Hilson of the Beverly Hills consulting firm Phase One observes, "... risk communicating that coffee is a rich, enjoyable experience without communicating the brand association clearly enough" (Hinsberg, 1991a).

Media Strategy

The Taster's Choice campaign has employed an effective and efficient media strategy that reveals an intimate understanding of its target market, both demographically and psychographically. Given that the female market consists of either fulltime homemakers (housewives) or working women who have primary responsibility for the home ("workwives"), research reveals that 94% of housewives and 83% of workwives have the sole responsibility for food shopping for their households (McCall, 1977). As such, coffee purchasers are overwhelmingly female. Social and economic trends over the last 20 years have resulted in the majority of female homemakers consisting of workwives rather than housewives. Interestingly, housewives tend to read more than workwives, while workwives watch more TV than housewives. Thus, a media strategy to encourage coffee consumption needs to employ TV advertising.

McCann-Erickson's selection of initial media placements tends to set the mood for the storyline of each ad. For example, the second spot was broadcast during the March 4, 1991 NBC Monday Night movie, *Hell Hath No Fury* (with Loretta Swit and Barbara Eden). During the second spot, Sharon returns a new jar of Taster's Choice to Tony while Tony is having another woman over for coffee. During the ad, Sharon is depicted as being briefly unsettled that Tony is entertaining another woman. An association may be created here between Sharon's jealousy and the movie's title (and theme), a shortened version of the expression "Hell hath no fury like a woman scorned" ("Taster's Choice Sets ... ," 1991). Similarly, spot #4 in which Sharon and Tony begin to explore their relationship broke during the film *When Harry Met Sally,* the tale of a man and a woman who experiment with the idea that best friends can also be lovers.

Further, the use of a media strategy that spaces out ads over time is very effective. Research has shown that spacing out ads leads to greater learning over time (Zielske, 1959). Simon, in a reanalysis of Zielske's data, concluded that spaced advertising works better for an established product than a pulsed schedule. In the Taster's Choice campaign, ads have appeared approximately every 6 months, with a short burst of reminder ads occurring before the rollout of a new execution. For example, the third Taster's Choice ad aired in September 1991. A reinforcement flight of the third ads appeared prior to the March 1992 rollout of the fourth spot.[4] The flights for the ads have been approximately three weeks in length. For spot #4, executions have appeared in *When Harry Met Sally. Northern Exposure, L.A. Law, Happy Days Reunion,* and *The Young Indiana Jones Chronicles.* as well as during the *CBS Evening News, 60 Minutes* and *ABC World News Tonight* .

Krugman (1967) suggests that the image-receptive right hemisphere of the brain scans and screens stimuli in the environment and selects material for the left brain to attend to in more detail. The right brain can operate over long periods of time without fatigue, while the left brain does suffer fatigue over time -- requiring that breaks be incorporated to facilitate learning. Thus, spacing out the ads is effective in increasing learning. It is also effective in keeping down advertising media costs.

In addition to television, McCann-Erickson's use of *TV Guide* as a media vehicle (see Appendix for examples) serves several functions. First, the *TV Guide* ads, which are designed like program promotions, alert the reader that the spot will appear in the upcoming show. This sort of advertisement for an advertisement is very unusual. Moreover, the *TV Guide* ads suggest that the commercials and television programming have similar qualities and, consequently, that viewing the advertisement is of equal or perhaps greater importance than viewing the television program: "Romance. Action. Adventure. Suspense. (Indiana Jones will also be on)." Also, the *TV Guide* ads exhibit the same type of self-reflexive humor that has become a major factor in much writing for television; for example. "Romance Isn't Instant. It Takes 45 Seconds."

Further, the nature of the ads signal the campaign's serial format. For instance, the ad that ran in *TV Guide* during the week of September 15, 1991, read:

> A surprise meeting between our couple has more than coffee brewing.
> Meanwhile, Claudia connives. Sumner schemes. Linda lies.

Thus, viewers are treated to a soap opera within a soap opera. The association is supported by the placement of ads promoting the campaign in *Episodes*, ABC's bimonthly soap opera magazine with a circulation of over a million, and on ABC's two soap opera 900-numbers. The media strategy helps to reinforce both the content and the format of the creative execution.

Likewise, this theme is carried through in the spots with a "commercial" that functions within the commercial. The structure of the Taster's Choice ads parallels the structure of

TV programming in general. During the 45-second ads, viewers are introduced to the new plot; the ad then breaks to a shot of the coffee being poured with the tag "Taste the Sophisticated Taste of Taster's Choice"; finally, the ad resumes the plotline. In other words, the ads are designed in a content-"commercial"-content format, very much like TV programming. The appearance of Taster's Choice within the dramatic or content portion of the spots operates as do standard product placements in television and film, such as Reese's Pieces in *ET: The Extraterrestrial.* Therefore, it is evident that the media strategy is masterfully crafted to allow the spots to stand alone as complete entities, thereby elevating the campaign above both the programming and commercial clutter of the modern-day media environment.

Conclusion

In summary, the current Taster's Choice advertising campaign presents a unique and highly successful approach to the difficult issues facing product marketers in an electronic age that bombards consumers with myriad messages from a multitude of communication channels. Perhaps the most recognizable aspect of the campaign is the serial format which has a long history in electronic media. A major staple of network radio programming in the 1930s-40s was the 15-minute daytime serial, such as *Ma Perkins* and *Backstage Wife*. These dramatic programs were popular not only with their largely female audience, but with advertisers as well. Corporations like Procter & Gamble sponsored several "soap operas," pitching a different soap or detergent (Ivory soap, Oxydol, Tide) for each . The soap opera format easily made the transition from radio to television, and even was adapted to prime time (8-11 PM, E.S.T).[5] Inspired by the creativity and intense praise of the Taster's Choice campaign, increasing numbers of advertisers are asking their agencies to develop episodic campaigns. Since the introduction of the Taster's Choice ads, Wendy's, the Tri Honda Dealers (the metropolitan New York Honda dealer association) and Bonjour have presented serial campaigns. Bonjour's president and chief operating officer Mark Shulman explains,

> We all like stories. I fell in love with the Taster's Choice ads, watching two people you think you know and wanting to see what happens. (Elliott, 1992, p. D5)

The use of a serial in TV advertising can be seen as the logical extension of the popular entertainment genre and as the ultimate evolution of the format from a mere vehicle for advertising promotion to a commercial genre used to make the appeal for the product directly.

While the Taster's Choice campaign is fascinating in and of itself, it is noteworthy as an exemplar of the shift in national product advertising from a primarily cognitive (product feature) orientation to one that integrates affective (audience member feeling) elements. In the case of coffee, for many years the characters of Mrs. Olsen and Cora were the quintessential personification of the ideal advertising strategy. The character of Sharon in the current Taster's Choice ads represents a dramatic transformation. Not only did Mrs. Olsen and Cora talk directly about the product attributes, they were mother-like (even grandmother-like) characters who, from their long years of experience as homemakers, were experts at coffee. Sharon is clearly a more glamorous role model. She is younger, more attractive and more sophisticated (an image reinforced by her British accent). She does not talk directly about the product attributes of Taster's Choice. Instead, she functions symbolically to communicate an attitude about Taster's Choice consumers -- sophisticated, romantic, sexual beings.

The popularity of this approach is catalyzing a metamorphosis in corporate philosophy. As Ellen Szydlowski, senior VP/management supervisor on the MJB account at Hal Riney and Partners, observes,

> There is a belief and an acknowledgement among people at Nestlé that an ad that touches people's emotions may do a better job of selling products, particularly in a category where the product is somewhat generic and its benefits are pretty well understood by the target audience.(Hinsberg, 1991b, p. 28)

As a result, other Nestlé coffee brands, including Nescafe, Hills Bros. and MJB, are introducing advertising campaigns that attempt to employ interactive imagery. For instance, a recent Nescafe ad, "Cowboy," portrays a widowed rancher nervously preparing to resume dating. To relieve his obvious anxiety, his young daughter gets him a cup of Nescafe. The ad then shifts to depicting the rancher enjoying his date to the tune of Fats Domino's "I'm in Love Again," and ends with the tag "Nescafe. Make a fresh start." However, as *Advertising Age* reviewer Bob Garfield notes, what is wrong with the ad is that Nescafe coffee

> ... is both too anonymous and too central. The notion of a cup of coffee liberating you from fear and depression is silly, but just in case, which brand is it? (Garfield, 1991, p. 56)

Thus, although the emotional appeal of the Nescafe ad is advantageous, it lacks the basic element that completely breaks through the "generic" barrier in advertising: careful integration of the product features into the emotional imagery; because the Nescafe ad uses non-interactive imagery, it fails to make the association concrete and, therefore, memorable.[6] Whereas the use of Nescafe is not essential to the plotline, Taster's Choice functions as the mechanism to keep Sharon and Tony together. The ingenuity of the creative strategy in the Taster's Choice campaign is that it tells an intriguing story while clearly communicating the brand association.

Further, the Taster's Choice advertisements are at the forefront of a trend that is sweeping across all product categories. A number of contemporary advertising campaigns are moving away from displaying the product and its respective attributes, and toward image appeals. As with coffee advertising, some executions are more effective than others. A case in point is the Nike campaign featuring Bo Jackson. The most recent in the series shows Bo as the featured player in a Busby Berkeley dance routine, with everyone singing "Bo knows about that Air thing." Bo then announces that he doesn't have time for the number, and crawls out of the TV set (thus employing the technique of "breaking down the fourth wall") into the den of a family watching the ad. As he walks through the room, he mentions to the family's teenage son, "Nice shoes." This is the only time in the ad where the product is mentioned. Bo is then shown back in his rehabilitation routine, only the music is still playing. He walks out of his rehab into a screen with Nike's logo as a background, announcing that he doesn't have time for this. The scene shifts to the original number, only with heavyweight boxing contender George Foreman saying "I do." The celebration then continues. The ad focuses on associations with the athleticism of Bo Jackson, as well as the humor. Very little product information is shown. Thus, the orientation of the ad is more right-brained than left-brained.

In fact, all of Nike's current ads appear to sell the product by selling the attitude of Nike consumers ("Just Do It") rather than the product attributes of Nike footwear. The images and attitude about the product nurtured by the Nike and L.A. Gear "Life: An Owner's Manual" campaigns are a far cry from days past when athletic footwear was portrayed in commercials as just about as glamorous as a pile of dirty sweatsocks. Similarly, Miller and Michelob beers have made a striking transition from a history of campaigns that treated the product as a commodity to the use of advertising as an added-value, intangible brand benefit.

In contrast, advertisers must beware of the danger of emphasizing image to the exclusion of product attributes. The Infiniti car campaign garnered a great deal of awareness (both positive and negative) for the ads that were high on image and art, and absent of any product information. Nevertheless, the campaign apparently did little to sell cars, as the campaign was scrapped after less than a year.

Consequently, the key to the success of an advertising campaign that attempts to utilize interactive imagery is a keen understanding of the consumer and a thoughtful integration of cognitive and affective appeals. As more and more products experiment with this technique, the Taster's Choice campaign will endure as an archetype in advertising history. In terms of creative and media effectiveness, as well as awareness generated for the brand, McCann-Erickson has set an impressive precedent. Consumers are not only involved in the campaign's storyline, they are purchasing the product. And, it is likely that consumers are buying Taster's Choice as much for its sophisticated romance as its sophisticated taste.

Footnotes

1. It should be noted that the market share growth did not continue. According to Nielsen figures, Gold Blend dropped to an 8.1% market share in 1989, before rising slightly to 8.4% in 1990 (Dagnoli & Bowes, 1991).

2. The authors would like to thank Ms. Denise Keegan of DeVries Public Relations, Inc., for providing us with storyboards of the Taster's Choice ads.

3. In fact, in anticipation of the third spot, a public relations agency was hired by Nestlé's to promote the campaign and facilitate press inquirie

4. For example, the third ad appeared January 5, 1992 on *60 Minutes* and January 8, 1992 on the *CBS Evening News* .

5. Soap operas have also been a popular topic for movies, as the success of *Tootsie* (1982) and *Soapdish* (1991) -- comedies that spoofed contemporary soap operas -- indicate.

6. As a result, although in 1990 media spending on Nescafe was cut 92.5% to $651,300 and the cost per retained impression dropped to $2.46, the average number of retained impressions declined. Alternatively, less media spending correlated with an increased average number of retained impressions for Taster's Choice.

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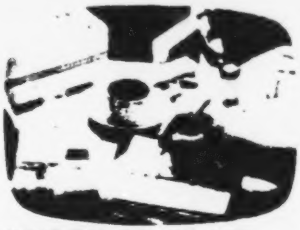
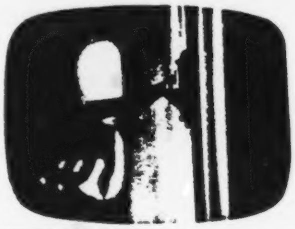
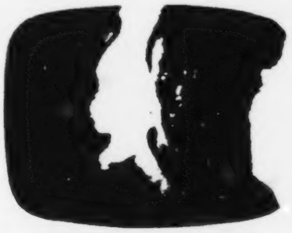
McCANN-ERICKSON

Client Nestle/Hills Bros.	Title: "Doorbell/First Meeting"	Art Director: Matt Lester
Product: Taster's Choice	Time: :45	Writer: Irwin Warren
Comml. No.: NEXC-0435	Date Aired: 11/90	Producer: Renee Calder


(MUSIC THROUGHOUT)
(SFX : DOORBELL)


(SFX: DOORBELL)

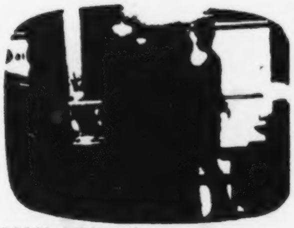
WOMAN: Hello. I'm sorry to bother you.



WOMAN: but I'm having a dinner party and I've run out of coffee.

MAN: Come in.

WOMAN: Thank you.


MAN: I'll just be a minute.

MAN: Would Taster's Choice . . .

be too good for your guests?

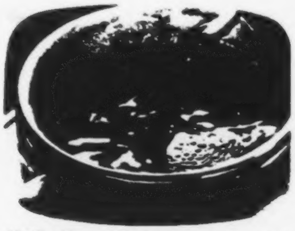
WOMAN: Oh, I think they could get used to it.

MAN: It's a very sophisticated coffee.

WOMAN: They have very sophisticated tastes.

MAN: Do they?

WOMAN: Yes well . . . I must be getting back.


AVO: Savor the sophisticated taste . . .

. . of Taster's Choice.

WOMAN#2: So . . . have you met your new

neighbor yet?

WOMAN: Oh, I've popped in for coffee.

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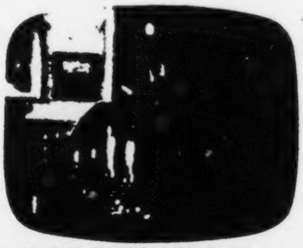
McCANN-ERICKSON

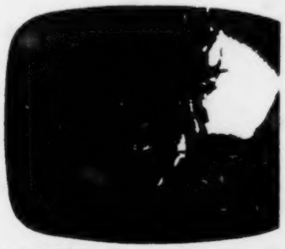
Client: Nestle/Hills Bros.
Title: "Return"
Art Director: Matt Lester
Product: Taster's Choice
Time: :45
Writer: Irwin Warren
Comml. No.: NEXC-0437
Date Aired: 3/91
Producer: Renee Calder



(MUSIC THROUGHOUT) (SFX: DOORBELL) MAN: Excuse me.

WOMAN: You saved my life the other night.

MAN: The dinner party?

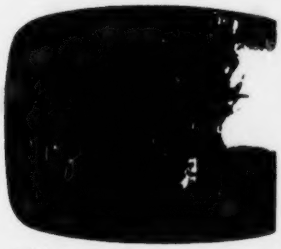


WOMAN: The coffee, very successful

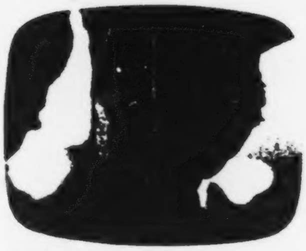
MAN: How can you ever thank me?

WOMAN: I'll try to think of something. In the meantime, at least I can return your Taster's Choice.

MAN: Look . . . I'm busy



right now, but . . .



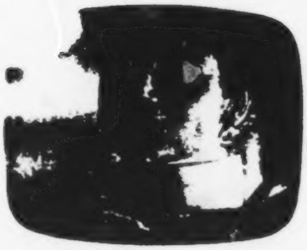
perhaps.

WOMAN: Perhaps.

AVO: Savor the sophisticated taste . . .

Taster's
Choice.

of Taster's Choice.



MAN: Just my neighbor. How's the coffee?

WOMAN#2: Perfect. Where do you get it from?

MAN: Oh, I have it delivere

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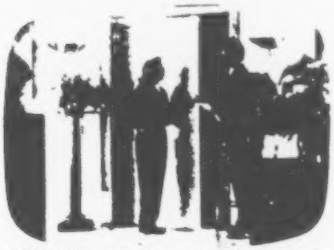
McCANN-ERICKSON

Client: Taster's Choice
Product: Nestle Beverage Company
Comml. No.: NEXC 1424

Title: "Dinner Party"
Time: 45 Seconds
Air Date: 9/15/91

Art Director: Matt Lester
Writer: Irwin Warren
Producer: Dorothy Franklin



TONY: You're not going to believe what happened. SISTER: You're right. I'm not. TONY: You don't believe your own brother? Come on, I'm really sorry I'm late

SISTER: Late? We're having coffee

Taster's
Choice
Original Blend

TONY: Taster's Choice

Just in time

SISTER: Well now, I think you know everyone.

except

TONY: We've already met.

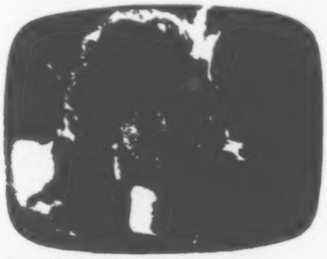
SHARON: We, uh, share the same taste in coffee.

ANNCR: Savor the sophisticated taste

Choice
Taste
Taster's
Choice
Original Blend

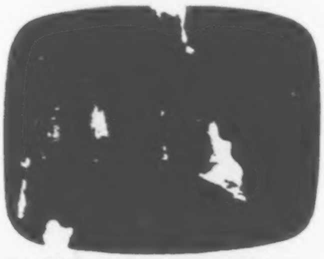
of Taster's Choice

SHARON: Are you always this late?
TONY: I won't be tomorrow



SHARON: What's happening tomorrow?

TONY: I'm inviting you to dinner



SHARON: What makes you think I'll accept?

TONY: You can't resist my coffee

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McCANN-ERICKSON

Client: Taster's Choice
Title: "Invite"
Art Director: Matt Lester
Product: Nestle Beverage Company
Time: 45 Seconds
Writer: Irwin Warren
Comml. No.: NEXC 1426
Producer: Dorothy Franklin

TONY: Hey, I'll walk you home.

SHARON: Thank you for a lovely dinner.

TONY: Aren't you going to invite me in?

(SILENCE)

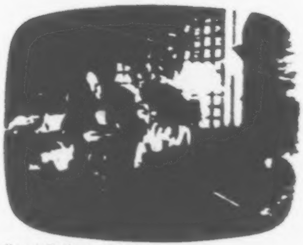
For coffee.

SHARON: Well, I do have Taster's Choice.

TONY: Then how can I refuse?

ANNCR: Savor the sophisticated taste

of Taster's Choice.


SHARON: Well

TONY: Just one more cup?

SHARON: You, uh, said that [illegible] cups ago.

TONY: You know how much I love your coffee.

SHARON: Then

by all means,

take it with you.

(SILENCE)

(SILENCE)

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says gospel singer Marion Williams in this 1990 documentary about the hymn and its effect on singers and listeners. Performers include Williams, Johnny Cash. (Repeat)

(ESN) **SUN BELT BASKETBALL CHAMPIONSHIP**
The final, at Mobile, Ala. (Live)
[Time approximate.]

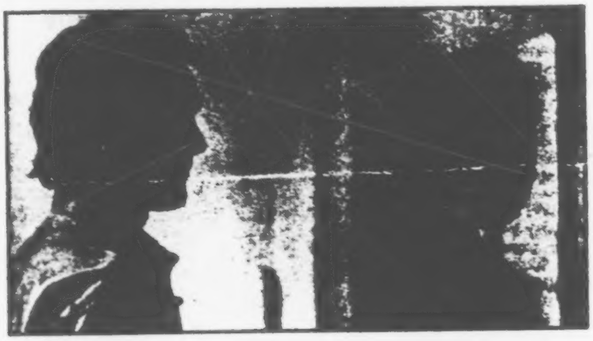
(HTS) **ACC WOMEN'S BASKETBALL CHAMPIONSHIP; 2 hrs.**
The tournament final, taped tonight.
[Time approximate.]

(MAX) **MOVIE—Comedy; 1 hr., 35 min. ★**
"Cool Blue." Woody Harrelson, Hank Azaria

([illegible]) **DRAGNET—Crime Drama**

10PM (5) ([illegible]) **NEWS; 60 min.**

(9) (11) ([illegible]) **WIOU (CC)—Drama; 60 min.**
WNDY's "If it bleeds, it leads" approach to the news troubles Liz and has Eddie and Tayk. scrambling for gory stories, and one hits close to home; the fate of a feuding couple's frozen embryos is uncertain; Neal focuses in on Floyd's sight instructor. Lucy: Rosie Perez. Eddie: Phil Morris. Teresa: Patty Neumeyer.



ROMANCE ISN'T INSTANT.
IT TAKES 45 SECONDS.

Our story continues during the Monday Night Movie, March 4th, NBC.

Taster's Choice

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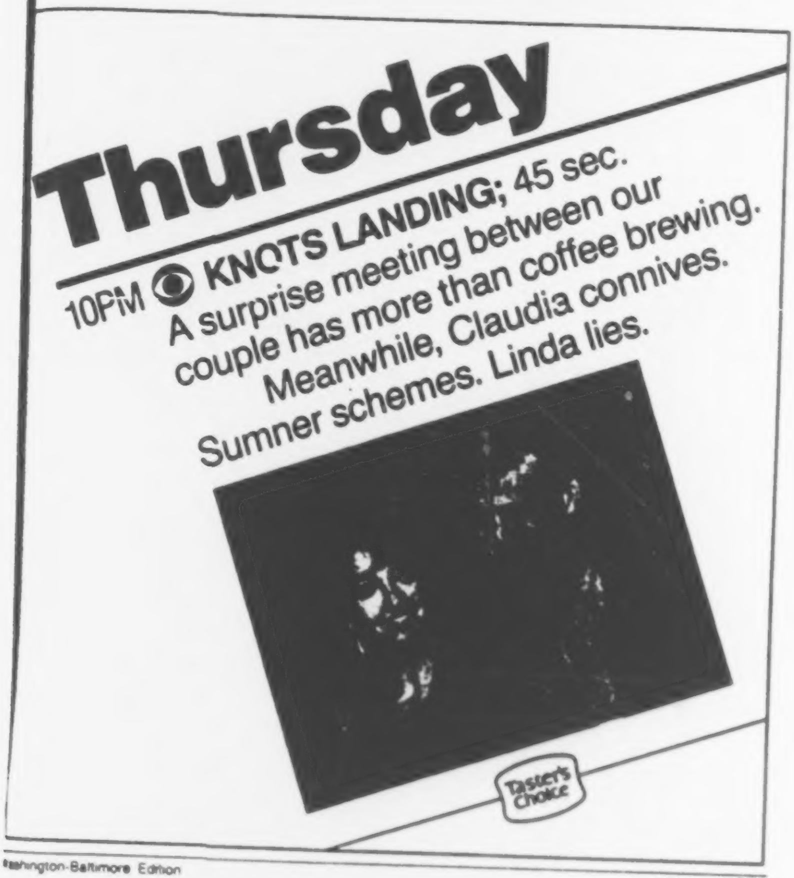
September 19, 1991

man (Jim O'Malley) is fit to stand trial for the murder of a young girl sends Rosie and Kovatch (Sharon Gless, Edward Asner) scrambling to mount a defense. Vinnie: Paul Ben-Victor. Sheila Hayes: Silvana Gallardo. Suzanne: Karen Austin. Doreen: Lisa Banes. Dr. Oney: Allan Wasserman. Judge Watson: Henry G. Sanders. Richard: Stephen Burks.

20 DANGEROUS WOMEN; 60 min. 14600
The discovery of Tony's dead body creates chaos and suspicion at the inn; Jerry (Ed Monaghan) is confused when Holly begins to avoid him; Holly considers leaving the inn. Goddard: Bruce M. Fischer.
[Ch. 20 is advising viewer discretion.]

26 MPT MYSTERY! (CC); 2 hrs. 84451/3839834
A shocking discovery by Helena (Diana Rigg) precipitates an ingenious plan of vengeance in the conclusion of "Mother Love." Angela: Fiona Gillies. Alex: David McCallum. Kit: James Wilby. Jordan: Cordelia Roche. (Repeat)

32 NOVA (CC); 60 min. 38242
See Tuesday 8 P.M. for details.



Thursday

10PM KNOTS LANDING; 45 sec.

A surprise meeting between our couple has more than coffee brewing. Meanwhile, Claudia connives. Sumner schemes. Linda lies.

Taster's Choice

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(17) **TALE SPIN**—Cartoon 81891
(42) **FULL HOUSE (CC)**—Comedy 574988
Jesse and Joey (John Stamos, Dave Coulier) form a partnership to write advertising jingles, but soon discover that their styles aren't exactly in harmony. Danny: Bob Saget.
(A&E) **AVENGERS (CC); 60 min.** 588181
(CNN) **NEWS**—Sesno/Crier; 60 min.
(DIS) **TEEN WIN, LOSE OR DRAW (CC)** 668549
(DSC) **BEYOND 2000; 60 min.** 593013
(ESN) **INSIDE THE PGA TOUR** 950384
(FAM) **RIN TIN TIN K-9 COP (CC)** 659278
(LIF) **SUPERMARKET SWEEP**—Game 655452
(NIK) **WHAT WOULD YOU DO?**—Game 572520
(TNT) **GILLIGAN'S ISLAND**—Comedy 154015
(USA) **SMURFS (CC)**—Cartoon 494510
[illegible] **VIDEO POWER**—Game 653617
(WOR) **WHO'S THE BOSS? (CC)** 208181
5:05 (MAX) **MOVIE**—Drama; 1 hr., 35 min. ★★★ 43888568
"Mother, Jugs and Speed." Bill Cosby.
(TBS) **HAPPY DAYS**—Comedy 6028704
5:25 (SHO) **MOVIE (CC)**—Comedy; 1 hr., 35 min. ★ 82987549
"Rock 'n' Roll High School Forever." Corey Feldman, Mary Woronov, Larry Linville.
5:30 (2) (4) (5) (5) (6) **NBC NEWS (CC)**—Tom Brokaw 7538
(2) (8) (12) (26) **SQUARE ONE TELEVISION (CC)**—Children 100/5346/5520/11568
A song of probability about a deliveryboy trying to escape from a haunted house.
(3) (10) (11) (14) **CBS NEWS (CC)**—Dan Rather 7384
(7) (8) (9) (13) (13) **ABC NEWS (CC)**—Peter Jennings 2810
(17) **DARKWING DUCK**—Cartoon 31384
(27) (32) **MacNEIL, LEHRER (CC); 60 min.** 944704
(42) **WHO'S THE BOSS? (CC)** 221384
Attempting to get Samantha excited about higher education, Tony catches the academia bug himself. Mr. Mackey: Peter Hobbs. Samantha: Alyssa Milano. Tony: Tony Danza.
(CSP) **VIEWER CALL-IN; 30 min.** 172998
(DIS) **MOVIE (CC)**—Adventure; 1 hr., 40 min. ★★★ 8245346
"Treasure Island." Robert Newton.
(ESN) **SPORTSCENTER** 683100
(FAM) **NEW ZORRO (CC)**—Adventure 382094
(HBO) **MOVIE (CC)**—Comedy; 85 min. ★ 5228100
"Feds." Rebecca De Mornay, Mary Gross.
(LIF) **SHOP 'TIL YOU DROP**—Game 395568
(MTV) **CLUB MTV** 380636
(NIK) **WILD AND CRAZY KIDS**—Sports 203968
(TNT) **BUGS BUNNY**—Cartoon; 90 min. 579742
(USA) **SCOOBY DOO**—Cartoon 755926
[illegible] **SAVED BY THE BELL (CC)** 396810
(WOR) **WHO'S THE BOSS? (CC)** 932636
5:35 (TBS) **HAPPY DAYS**—Comedy 7322013

Pledges may alter the start and end times of programs on Chs. 12, 26.

EVENING

6 PM (2) (3) (4) (5) (5) (6) (7) (8) (9) (10) (11) (13) (13) **NEWS**
(2) (8) (12) (26) **MacNEIL, LEHRER (CC); 60 min.** 72100/14100/57704/31568
(14) **MARRIED . . . WITH CHILDREN** 4297
A year's supply of something close to food could be Al's, if Kelly lands the job to represent the stuff, and Peg keeps her hands off it. Shnick: Ray Giradin. Kelly: Christina Applegate.
(17) **NINJA TURTLES**—Cartoon 38297
(42) **WHO'S THE BOSS? (CC)** 228297
Mona panics when it looks like her relationship with Max (Leslie Nielsen) is leading to the altar—until she meets his ex-wife (Shawn Southwick). Mona: Katherine Helmond.
(A&E) **DAVID LETTERMAN; 60 min.** 825384
(AMC) **MOVIE**—Mystery (BW); 85 min. ★★ 6701549
"Vicki." (1953) A waitress (Jean Peters) becomes a successful nightclub entertainer and ends up murdered. Loose remake of the 1941 film "I Wake Up Screaming."

ROMANCE. ACTION. ADVENTURE. SUSPENSE.
(Indiana Jones will also be on.)
Watch for the newest episode of our story during Young Indiana Jones and The Curse of the Jackal,* Wednesday, on ABC.
Taster's Choice

BEST COPY AVAILABLE

WIN A ROMANTIC DINNER WITH THE Taster's Choice. COUPLE

Taster's Choice

ENTER THE "MOST ROMANTIC FIRST DATE" CONTEST.

Taster's Choice

Think back to the most romantic first date you've ever experienced. Where did you go? Was there music? Flowers? How did it end? With a kiss? With coffee?

Take a chance on romance. Write a brief description of your most romantic first date. Type your story on a separate page (200 words or less, please), and return the completed entry form with your essay.

Rules for Entry

1. Your full name and address must appear on each page of your essay.
2. All entries must be received by July 15, 1992.
3. All submissions become the property of Taster's Choice, with the right to make full commercial use thereof, including advertising. No entries will be returned.
4. All entries will be judged by an independent judging organization. The decisions of the judges are final.
5. Prizes will be awarded on the basis of the following criteria: romance, originality, creativity and writing skills.
6. For complete Official Rules, send a self-addressed stamped envelope (WA & VT residents need not affix return postage) to Taster's Choice Rules, P.O. 8558, Prospect Hts., IL 60070.

GRAND PRIZE:

- Romantic weekend for two in Los Angeles, CA
- Two nights at the Stouffer Concourse Hotel in Los Angeles
- Elegant banquet with the Taster's choice couple*
- Sneak Preview of episode #5 in the Taster's Choice commercial series

25 LUCKY COUPLES WILL WIN ** Actors' schedules permitting*

OFFICIAL ENTRY FORM:
This form must acompany each submission

NAME ____________________

ADDRESS ____________________

CITY __________ STATE _____ ZIP _____

PHONE ____________________

Mail your entry and essay to: Taster's Choice
"Most Romantic First Date" Contest
P.O. Box 8563
Prospect Heights, IL 60070

MANUFACTURER COUPON | EXPIRES AUGUST 31, 1992

SAVE 75¢

on Taster's Choice
100% freeze-dried coffee
when you buy any two-2 oz.
or one larger size jar

Taster's Choice

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3. Who was more romantic on your first date? ____You ____Him ____Both
4. Was your romantic first date with your husband or current partner? ____Yes ____No
5. If yes to # 4, is the romance you first experienced still present in your relationship? ____Better than ever ____About the same ____It's been all downhill from the first date
6. What made your first date so romantic? (*Check all that apply*) ____The right chemistry ____We laughed a great deal ____Setting/atmosphere ____His attentiveness ____A special gift ____Other

7a. What were you attracted to first? (*Number in order of importance, with 1 being the most important*) ____His looks ____His money ____His intelligence ____His ability to communicate/listen ____His sense of humor ____Other

7b. What was the least important? (*Number in order of importance with 1 being the least important*) ____His looks ___His money ____His intelligence ____His ability to communicate/listen ____His sense of humor____Other

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BLACK ENTERTAINMENT TELEVISION:

Seeking Dr. King
or
Slouching toward Malcolm X?

by

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BLACK ENTERTAINMENT TELEVISION:
Seeking Dr. King or Slouching toward Malcolm X?

Black Entertainment Television (BET), one of the oldest cable services having begun on air in January 1980, has frequently been seen by experts and casual viewers alike as "essentially a black music video service." An analysis of its organizational history, program content, and programming strategy and philosophy shows this conclusion seriously underestimates the aspirations, plans, and achievements of BET under the guidance of its founder Robert L. Johnson. Rather, BET is a marriage of convenience between a black alternative to MTV and a black public TV-like service that includes a serious forum for black ideas, black culture, and black entertainment. Problematic to BET's future evolution, however, is that BET's corporate philosophy has moved from an integrationist view of programming in 1980 to a separatist blacks-only programming strategy during the very period when its audience has become 25 per cent white and 60 per cent non-black. Meanwhile, BET has been regularly overcompensated for a miniscule audience by its MSO corporate partners as much because of their franchising strategy in heavily black areas as by their desire to "do the right thing." It is concluded that continuing to aim black-oriented programming at a racially mixed audience could eventually prove economically disastrous, an outcome especially likely once the major urban cable franchises have been awarded. Although other courses of action exist, a return to BET's initial integrationist programming strategy is seen as the most likely road to long-term economic health for the network.

BLACK ENTERTAINMENT TELEVISION:

Seeking Dr. King or Slouching toward Malcolm X?

Black Entertainment Television (BET) is frequently seen as "MTV in blackface." Analysis shows BET is a marriage between black videos and a serious forum for black culture. Problematic, however, is that BET's philosophy has moved from integrationist to separatist while its audience has become 60 percent non-black. Continuing to aim black-oriented programming at a racially mixed audience could eventually prove economically disastrous. A return to BET's initial integrationist strategy is seen as economically prudent.

The Second Coming

Turning and turning in the widening gyre
The falcon cannot hear the falconer;
Things fall apart; the center cannot hold;
Mere anarchy is loosed upon the world,
The blood-dimmed tide is loosed, and everywhere
The ceremony of innocence is drowned;
The best lack all conviction, while the worst
Are full of passionate intensity.

Surely some revelation is at hand;
Surely the Second Coming is at hand.
The Second Coming! Hardly are those words out
When a vast image out of *Spiritus Mundi*
Troubles my sight: somewhere in sands of the desert
A shape with lion body and the head of a man,
A gaze blank and pitiless as the sun,
Is moving its slow thighs, while all about it
Reel shadows of the indignant desert birds.
The darkness drops again; but now I know
That twenty centuries of stony sleep
Were vexed to nightmare by a rocking cradle,
And what rough beast, its hour come round at last,
Slouches towards Bethlehem to be born?

- William Butler Yeats, 1920

BLACK ENTERTAINMENT TELEVISION:
Seeking Dr. King or Slouching toward Malcolm X?

By Leonard J. Barchak

Introduction

Tuning into Black Entertainment Television (BET) any weekday will likely bring you into the middle of a music video show featuring the hottest black recording artists. After all, 11 hours of music videos are programmed between 10 a.m. and 4 a.m. each Monday through Friday, not including additional shows that in whole or in part review music videos or present their artists in interview-promotional situations. Because of this, it would not be hard for the casual viewer to conclude that BET is "essentially a black music video service," as it was indeed described by Broadcasting in 1985 and by many others since. It would be natural indeed, but it would seriously underestimate the aspirations, plans, and achievements of BET under the guidance of its founder Robert L. Johnson. It would also ignore the economic and social forces that have shaped BET into what it is today: a marriage of convenience between a black alternative to MTV and a black public TV-like service that includes a serious forum for black ideas, black culture, and black entertainment (Perkins, 1990a).[1]

One of the earliest basic cable services, BET predates such long-lasting and successful enterprises as CNN (6/80), A&E (4/81), and MTV (8/81). It was organized in the fall of 1979 and began broadcasting as the BET network on January 25, 1980. Its organizational history and health are a direct result of choices made and policies pursued by Princeton-educated Robert L. "Bob" Johnson, who has demonstrated the flexibility of a diplomat as BET has zigged and zagged between programming "philosophies" in order to stay alive and keep growing. At crucial moments, Johnson has called upon giant Multiple System Operators (MSOs), national advertisers, and those who controlled necessary programming to "do the right thing" (BET: Still Small, 1985, p. 68). It is a credit to his negotiation skills and to the Zeitgeist of 1980s America that in each instance Johnson's BET was sustained by an economico-ethical choice rather than usurped by a mere business decision. Twelve years of pragmatic evolution under Johnson in a marketplace of competition has left BET with programming whose tone and substance reflect the integrationist views of Martin Luther King, Jr., somewhat more than the early and best-known separatist doctrines of Malcolm X (King, 1989; Haley, 1989). It perhaps should have been an expected outcome and one that should have heartened and encouraged the majority community to support BET with additional viewership. Nevertheless, in recent years BET has become much more critical of the "white" majority's political system and its dominant media, which it sees as a monopolistic voice for American culture.

No understanding of BET's future direction or its 12 year history is feasible without a look at the non-media educational background of Bob Johnson, the 9th of 10 children born April 8, 1946, in Freeport, IL. As a youngster, Johnson aspired to become a pilot but because of less than 20/20 eyesight, his interest shifted to teaching. This focus held until his junior year of college at the University of Illinois, from which he graduated with a B.A. in history in 1968. After a short stint at the State Department and two years with the U.S. Army Reserve from 1968-70, Johnson sought a masters degree in international affairs from the Woodrow Wilson School at Princeton, graduating in 1972. By this time, he had developed a longterm career goal of becoming an ambassador. After graduation, however, Johnson joined the Corporation for Public Broadcasting (CPB) as their public affairs officer. It is perhaps this posting that reverberates in the "1970s-style public TV"-like segments of BET programming. Upon departure from CPB, Johnson joined the National Urban League as its director of communication for a short period in 1973. That same year he became press secretary for Washington D.C. Rep. Walter Fauntroy, holding that position from 1973-76. Deciding to add a business background to his government experience, Johnson joined the National Cable Television Association (NCTVA) as a lobbyist, just as cable was beginning to take off after the first launch of domestic satellites in 1975. For three years during the Ford and Carter Administratrions, he lobbied Congress, the FCC, and various citizen groups on behalf of cable industry growth through deregulation. It was a goal only partially realized because of Network fear that deregulation would hurt so-called "free" TV, but Johnson's mediation skills made their mark among cable industry executives, broadcasters, and government agency officials. He moved from vice-president of pay TV to vice-president for government relations, making contacts and friends that would serve him well as he struck out on his own with BET in 1979. Although Johnson's ambassadorial ambitions have receded ever further into the distant future as BET organizational requirements have mushroomed, it seems not unrealistic to see in Johnson's biography elements that figure prominently in BET's organizational history, audience and programming strategy, advertising base, and programming content. Among these are negotiation and accomodation skills from growing up in a large family, from education in history and international affairs, and from nearly all his prior work experience as public relations professional and lobbyist; an orientation toward educational broadcasting--especially as it would serve black inner city communities--derived from life experience, pedagogic career aspirations, and employment at the CPB and the National Urban League; and a gift for establishing crucial cable industry contacts during lobbyist positions at NCTVA.

Organizational History

During his three years at NCTVA, Johnson came to know the major programming executives of the cable industry, including HBO's Gerald Levin (now with Time-Warner), Teleprompter's Russell Karp, and Bob Rosencrans, then at Madison Square Garden Network (now USA Network), and John Malone, president of Telecommunications, Inc. (TCI). At some point, Johnson perceived that a niche existed in the narrow-casting world of cable for a black-oriented network that he could uniquely fill. In taking his idea to TCI president Malone, Johnson could count on a careful hearing since TCI--along with other MSOs--was about to make franchise applications to many of the large urban city governments. A promise to serve the extensive population of city-dwelling blacks would certainly work in an applicant's favor. Moreover, Malone did not want to be embarrassed by association with a radical channel and, as he said later, completely trusted Johnson to steer a wise course in the cautious, conservative cable industry. Approaching Malone was indeed the right move for Johnson since TCI put up $500,000, $320,000 as a loan and $180,000 for a surprisingly small 20 per cent equity. Johnson's own capital investment was a $15,000 bank loan.

When the BET "network" came on TV in 1980, it was little more than a program piggybacking on the USA Network and cablecasting two hours each Friday night-Saturday morning between 11 p.m. and 1 a.m. EST. But it had some of the nation's top MSOs committed to carrying its programming, including Warner Cable, American Telecommunications, Corp., Teleprompter, and, of course, TCI. It also signed six national charter advertisers: (1) Anheuser-Busch, (2) Time, (3) Champale, (4) Pepsi-Cola, (5) Sears-Roebuck, and (6) Kellogg. Many accepted Johnson's "front end support" argument, i.e. "Give us a break; grow with us." In this way Anheuser-Busch paid for more subscribers than were currently available to BET, in hopes that steep increases in viewership would make rates a bargain later (Smikle, November 1985). Substantial additional income was to be derived from a 2 1/2 cent fee levied on the participating cable systems for each of their subscribers.

As Johnson evolved a plan to expand BET programming from two, then three, hours a week in late 1981 to six hours a day, seven days a week in August 1982, it must have been clear that additional sources of revenue would be needed for program purchase and original program production. This was especially so since the number of BET subscribers had fallen from 10 million to about 2 million in August 1982 when the network gambled by jumping from RCA Satcom I to Westar V in order to be able to deliver programs during prime time. New "deep pockets" were found in the Taft Broadcasting Co. (now GAB, for Great American Broadcasting), which not only brought along its extensive background as program syndicator but bought into BET for a TCI equivalent share of 20 per cent.

Despite "cash calls" by Johnson to TCI and Taft, the ownership situation remained stable until 1984 when Johnson saw the opportunity to expand BET to a full 24-hour-a-day service. This necessitated a move from Westar V to Hughes Galaxy I, transponder 17. Owner of the transponder was HBO, which in lieu of lease payments accepted a 16 per cent interest in BET. It also promised future loan contributions to the network. The Galaxy transponder provided BET an additional asset: it was accessible by most cable systems and would not necessitate--as Westar V had--the purchase of additional receiving ground stations by small cash-poor cable operators.

Sensitivity to diversity through minority ownership is clearly seen in the 1984 ownership expansion. HBO's share would have brought the Johnson-owned portion below the 50 per cent needed for absolute organizational control. To maintain Johnson as the majority shareholder, TCI and Taft each accepted a reduction in their equity to 16 per cent, bringing total ownership with HBO to 48 per cent, rather than 56 per cent. By the end of 1985, the total investment in BET, counting money and resources, was $5 million for each of the three cable industry investors. Their individual participation grew to $6 million the following year, a sum derisively called "lunch money" by at least one cable marketing and programming executive, Charles Townsend, vice president of top 10 MSO United Cable. This "lunch money" funding was accompanied by a lean organization staffed by 18 at headquarters and an overall total of 40. All on-going contributions in 1986 were given in the form of loans so BET could remain a black-owned company (BET: still small, 1985, p. 68).

As BET moved into new corporate offices in the exclusive Georgetown section of Washington in 1985, its affiliate marketing passed into the hands of its newest partner. Prior to this, BET had been criticized for half-hearted marketing and for having "very few people out beating the bushes" for cable affiliates. HBO's job would be to convince BET to increase subscribership by increasing marketing dollars. By 1981-82 HBO had already handled the marketing of USA Network, which was 1/3 owned by HBO's parent company, Time Inc (BET: still small, 1985, p. 68). There is some question just how seriously HBO took BET marketing since as late as January 1992 BET was not listed in the grid or body of some Cable Guide listings, even in areas like Lake Charles, LA, where a cable company had a large proportion of black viewers.[2]

Although there was three-fold growth in subscribership between 1985-89, little changed in BET corporate ownership patterns during this period. Externally, however, Bob Johnson pursued the ever-frustrating establishment of District Cablevision, Inc. (DCI), a company he headed in its off-again on-again franchise battle. He also gave birth to the Black College Educational Network (BCEN, pronounced Beacon) in February 1985. Using donated satellite time and other resources, corporate and government grants, and in-kind aid, BCEN electronically brought together expert guest speakers and students from nine black colleges in a twice monthly experiment.

In 1989, Johnson began a flurry of activity with BET corporate resources that has not yet subsided. On April 14th of that year, he opened a $10 million state-of-the-art production facility that had become necessary to produce the original programming demanded by cable companies and audiences. In that same month, BET signed a joint advertising agreement with ABC that was to allow each to promote its programming on the other's network. Toward the end of 1989, *Emerge* Magazine was finally born after three years of painful labor that began at Time Warner and culminated in a joint venture with BET. New York based *Emerge*, which aimed at upwardly mobile blacks, was to be the first of many non-TV enterprises for Johnson and BET. It was anticipated that *Emerge* would provide cross-promotional opportunities between Time Warner and BET. Although, it did not become general public knowledge until a BET 10th anniversary supplement appeared in Billboard in September 1990, a deal had been struck in March of that year with sports promotor Butch Lewis to produce original programming and special pay per view (PPV) events for BET. Also announced in the BET supplement was that a joint production/programming venture was about to be concluded with Tim Reid (WKRP, Frank's Place), later called United Image Entertainment. Projects are to include made-for-cable and network movies, documentaries, specials, and feature films that will depict the diversity of black lifestyles (Perkins, 1990a).

All these stirrings are perhaps best put into perspective by another of Johnson's statements in that very same Billboard supplement. "We're in magazines, we're in sports, we're in entertainment," said Johnson. "We have direct synergy with our ability to reach 30 million homes. In the next four years we'll be in 40 million, and at that time we'll be in over 65 per cent of all black households in America." Johnson's introductory sentence to this knot of statistics was his first public statement of what was now becoming obvious, "Our goal is to become a multimedia company (McAdams, Sept. 22, 1990, BET p. 20)." For good measure, he expounded upon this a few months later in Essence: "When I see BET, I don't see a cable network. I see a black media conglomerate. I want to be a communications giant (Little, November 1990)."

Upon reflection, it can be demonstrated that the idea--if not the form--of BET corporate expansion was in Johnson's mind as early as 1982. In October of that year, he was quoted in Broadcasting as seeing possiblities for BET to enter the talent development business, represent rising black sports stars, use direct mail and marketing, and pitch BET to political parties as a way to reach a significant voting block (Bob Johnson: making a BET, p. 87).

With the new future corporate direction firmly asserted, Johnson announced the formation of YSB magazine in December 1991. YSB or Young Sisters and Brothers, which sought to place a serious emphasis on black teenage self-esteem, was planned to initially reach an audience of 200,000 with $5 million in resources committed by BET for 1991-1993. Approximately $1.5 million was to go to BET's issue/music-oriented Teen Summit program for promotion when YSB became its "sponsor." Paige Publications, a BET subsidiary named for Johnson's young daughter, brought the magazine to market in August 1991, seeking subscribers with a "900" number price of $11.95 for 10 issues.

At a meeting of select advertisers on May 23, 1991, BET announced it would purchase Time Warner's 19 per cent interest in Emerge as it sought to become a media leader among black readers. This would bring its ownership to 70 per cent of the 150,000 circulation magazine that was still not expected to show a profit until 1992. Johnson also made it known at the meeting that cross-media promotions for his properties would continue and that BET planned to launch a radio network sometime in 1992 (Carmody, May 1991, p. D8).

Following a $225,000 setback by which the courts awarded back royalties to Broadcast Music, Inc. (BMI) in August 1991, Black Entertainment Television decided to go public, offering

4.25 million class A shares at $11 or about $47 million total. GAB, which had come to control 21 per cent of BET, sought to relinquish its entire 2.4 million shares. After the sale, Johnson was expected to remain in control of 51 per cent of the company with Liberty Media Corp. (a subsidiary of TCI) having 17 per cent and Time Warner's HBO owning 14 per cent. In a little over 11 years, Johnson's $15,000 personal investment had grown to an estimated fortune of $102 to $121 million.

At the close of 1991, Music Television (MTV) disclosed plans to meet BET head on by forming three new music channels in 1993, including one aimed directly at BET's black viewers (Robichaux, 1991, p. B6). As this is being written, there has been no public response from BET to this challenge aimed at the organization's economic jugular.

Programming Strategy and Philosophy

According to a 1990 Dallas Morning News article, when Bob Johnson founded the Black Entertainment Network in 1980 with a small bank loan and a stack of IOUs, BET was considered little more than "MTV in Blackface." Its strategy was simple: "Woo viewers with videos" (Perkins, 1990a). This is a succinct encapsulation of the BET philosophy. The only problem?: it is not true! It was not true in 1980, and despite BET's acquired long-standing reliance on music videos, it is even less true today. Johnson's endeavor began as a business with a faintly idealistic hope of serving both the black and the white audience. It shifted rapidly to become a business-based champion of the black community and black culture, unafraid to use racial exploitation arguments to protect itself in important and perhaps crucial situations. Eventually, BET embarked on a public philosophy that envisaged the network as the flagship of a multi-media conglomerate, simultaneously fighting--by its own estimation--to prevent the black community from being ignored or assimilated. All these shifts, it is true, have been largely financed directly or indirectly by the popular black music videos, but videos are neither BET's strategic nor philosophical raison d'être.

At its inception in 1979, BET was an inspired business analogy. A colleague of Johnson's approached him with a theory: because the elderly watch a lot of television, are not properly treated, and represent X amount of buying power, they would make a profitable target audience for specialized cable programming. Johnson immediately seized the idea, asked for a copy of the colleague's notes, and simply changed every mention of "the elderly" to "blacks" (Smikle, 1985, p. 64). After BET had been underway six months with vintage black movies as the main fare, Johnson was quoted in an American Film article as believing that the network's objective was "to bring to Americans--black and white--things they can't otherwise see." (1980) In the same piece, Johnson set out his hope to eventually do original dramatic programs, particularly those that the black creative community wanted to undertake. Expressing his general desire to continue avoiding most 1970s so-called "blaxploitation" movies, Johnson nevertheless also pointed out their value in providing work for black movie actors, actresses, and filmmakers, who were frequently unemployed.

By October of 1982, Johnson's objectives had undergone a significant change, and skin color had become a focal point of programming strategy. "Our network is not a radical departure for TV," said Johnson. "We have not reinvented the wheel, only painted it black." The business orientation, however, remained. BET is a "business with a black consciousness," said Johnson, "but the accent is on the business....I'm not going to be happy with this network until it makes [and sustains] a profit" (Bob Johnson: making a BET, 1982, p. 87).

Two years later with BET growing slowly compared to ESPN, CNN, and MTV, Johnson launched a bitter attack against cable operators for lacking "sensitivity" and failing to do "the right thing." Comparing cable operators who allegedly underserve the black community to unscrupulous landlords who provide blacks with inadequate housing at the maximum rent possible, Johnson pronounced operators guilty of being "programming slum lords." A new corner had been turned in BET's programming philosophy, viz. if cable systems were more interested in Headline News, VH-1, or the Nashville Channel, perhaps they could be shamed or frightened into buying the black network's inchoate offering by charges of "overt racism" (BET: still small, 1985, p. 67). Johnson's business and skin color commitment are firmly reiterated in the 1985 article: "We are going to survive. We've got a good head for the business....blacks will watch black programming before they will watch white programming, eveything else being somewhat equal."

In the summer of 1986, BET showed that it could play business hardball if its programming strategy were interfered with. When Profile Records awarded a 30-day exclusive for one of its Run-D.M.C. videos to MTV, BET--which by this time was relying heavily on music programming--banned the company's records from its playlist. Profile, which hoped to cross over to the white community with the Run-D.M.C. video, speculated that BET was angry because the network did not get first crack at the video by these black artists. In defense of its action, Profile said that BET had never given much support to its videos because "they were too hard" (George and Dupler, 1986). At least one other record company was threatened with a BET boycott at the same time, with others who produce black artist videos indirectly given the clear message: Despite the small size of our audience, we expect black videos on an equal basis with MTV and others--or else (George and Dupler, 1986).

A half year later, February 1987, BET confirmed its determined business-first approach in an equally assertive manner. Following the network's talk show discussion of Amos 'n' Andy--the controversial all-black comedy that had been pulled from syndication 20 years earlier for allegedly demeaning the black race--BET conducted a poll which revealed that more than 80 per cent of its audience would like to see the show returned to the air. BET immediately went after the program despite opposition by the NAACP and other black groups. Johnson could not get CBS, the distribution rights holder, to relinquish the copyright, and, in the end, carefully noted that were CBS to put Amos 'n' Andy in the marketplace, BET would then make its own business decision on whether to resurrect the series ("Amos 'n' Andy" revival, 1987).

Spring of 1989 saw the first shoots of BET's media conglomerate strategy emerge, a strategy linked to the empowerment of the black community. "Essentially," Johnson was quoted as saying in Advertising Age, "we've laid the groundwork to become the information and entertainment voice for black America" (Donaton, 1989, p. s32). Note that even though entertainment received far more hours in the daily BET schedule in 1989 (as it still does today), information was the first objective on Johnson's lips. In the article, Johnson reintroduced the BET desire to increase its stake in producing original black programming, adding that the network should target "a greater range of black viewers." His concept also included a new direction, that of building "a business that would be the major distributor (emphasis mine) of black programming." Finally, Johnson linked all this to the balance sheet side of BET, saying, "The most important thing BET has done is [to have] given greater emphasis to television as a tool to reach black consumers."

Elsewhere that spring Johnson took a significantly different tack. "Our goal," Johnson told the magazine Black Enterprise, "is to give America's 21 million blacks the power to make a difference to be heard and to make things happen by actively participating." Thus, BET began a programming strategy that made space in its business-first approach for a coordinate commitment to using the network--at least in theory--for socio-political ends. Its means was to be live, interactive TV (Osborne, 1989, p. 24).

When BET reached its 10th birthday in 1990, it commissioned a 23-page advertising supplement for publication with Billboard magazine's September issue. Bob Johnson, when asked his programming philosophy in the lead article, provided an extensive response. Programming had to reflect "the black cultural experience in fact or in fiction," he said, and it had to feature "blacks in leading or dominant character roles." BET had to also become "a voice for black America," and it was clear when Johnson added, "in all of its facets," that he meant the network to become the media voice for black America. A main economic support in his platform was likewise acknowledged when Johnson stressed how proud he was of "our relationship with the music industry," which he termed a "marriage" of mutual support that allowed "black artists to reach their audiences financially and creatively." He reminded his "spouses" that he had promised many years earlier to "play as many music videos as you [the record industry] can produce." The founder of BET also reiterated his intention for BET growth beyond the mere programming of television: "Our goal is to become a multimedia company. We're in magazines, we're in sports, we're in entertainment. We have direct synergy with our ability to reach 30 million homes. In the next four years we'll be in 40 million, and at that time we'll be in over 65% of all black households in America." Ultimately, Johnson asserted that his proudest programming accomplishment was BET News. "It is so important that black Americans be made aware of how issues affect their lives," he said. "Because news tends to be focused on the interests of the majority, the minority gets lost" (McAdams, 1990).

All of the themes detailed in the Billboard supplement had arisen earlier and must have been well-known within the cable industry. However, at the very moment that the supplement was going to press, important philosophical changes were on the way. Several months later in the Dallas Morning News, Johnson would put forward his "us against them" strategy whereby BET would serve as mainstay against majority (white) intrusion into black life. To be sure, Johnson would insist that the network's objective was entertainment not education, but Ed Gordon--news anchor for BET and the clearest, strongest voice behind all their best public affairs offerings--set the record straight: "There's always a misconception when you hear the word 'entertainment'--you don't equate serious news with that," says Gordon. "But Bob [Johnson] has set a mandate that BET news will enlighten and educate the African-American community in a way that mainstream media can't, and in some instances, won't do" (Perkins, 1990a). Targets of the BET programming philosophy were to be "Hollywood":

> "We're tired of Hollywood making the decision about what kind of black characters white America accepts. We want BET's programming to address black cultural themes and lifestyles...to show blacks in dominant character roles and have as its primary interest black information, black culture, black thought and black philosophy" (Perkins, 1990a).

...and indeed all white media:

> "When you think of a network with the ability of bringing positive news to counter mainstream media's handling of our [emphasis mine] news and information, you've got a force, a force that will ultimately change the way black folks think of themselves and the way whites view them as well" (Perkins, 1990a).

The objective is clearly a "new black society" separate from the white majority:

> "Now there won't be a black kid who will grow up who won't know a black network exists that has his interests and tastes at heart. That's different from when I grew up when everything on TV was for whites. In that respect alone, I can already see how we are having some kind of impact on black society" (Perkins, 1990a).

As recently as June 1991, in a broadly distributed BET Fact Sheet, the network has asserted that its goals since inception in August 1979 have been (1) to provide a national platform that showcases the creativity and diversity of the black entertainment industry, (2) to present quality black entertainment, music, sports, and public affairs, and (3) to be the dominant medium advertisers use to effectively reach the black community (BET Fact Sheet: General Information - History). Allowing that the hyperbole recasts history a bit but does no real disservice to the objectives mentioned, there is still that important objective left unmentioned: BET's role as bulwark against mainstream American culture--so-called "white" culture. But whether or not this had been properly mentioned, it will be quite clear to the majority of Americans that long gone is Johnson's initial, rudimentary 1980 concern with the white audience. And this is quite an irony since non-blacks make up about 60 per cent of the current BET viewing audience (Robichaux, 1991).

Programming Content

Whatever the philosophical development of Bob Johnson's thinking over the past twelve years, it has not prevented BET programming from being as substantially shaped by the vicissitudes of viewer interest as by the founder's evolving strategies. Characteristic of this interaction has been the continuous expansion in programming time, frequent program experimentation, and the plowing back of revenues into new programming ventures. After much necessary delay, Johnson has also kept his promise to have BET produce original program material with a special attention to shows featuring black issues and culture. Such "cultural events" have naturally drawn no greater viewer interest on BET than their equivalents on public broadcasting stations, where they are mostly watched by the well-to-do, the well-placed, and the well-educated. Other viewers choose more accessible entertainment fare, and BET has had to necessarily retrench as the falling viewer ratings made blue-chip advertisers uneasy. Some of this churn will be eliminated as BET hires more professionals skilled in television--the network is still staffed by people whose training and experience are foremost in radio--resulting in a static program quality reminiscent of early network attempts, educational television, or a Scandinavian broadcast system with its stultifying BBC orientation (Slade and Barchak, 1989). Controlling the rest of the turnover may be out of BET's hands so long as it remains committed to educating and enlightening the audience, rather than entertaining them.

Spring 1980

BET's programming mix had its beginnings in the 1980 spring season of two hours per night, 11 p.m. - 1 a.m on Friday-Saturday. Most of the cablecasting time was devoted to black film classics produced by United Artists for the segregated "Negro Theaters" of the 1930s and 1940s. There was also similar stock from Paramount and Universal as well as black TV movies and theatrical films. A critic-discussant preceded and followed the movies à la Alistair Cooke. Only a very occasional '70s "blaxploitation" film would be aired. Fill time was given over to gospel music, jazz, and other popular music performances (Arlen, 1980). At that point in the network's development, there were no more than an odd assortment of 400 videos in the BET collection because in 1980 very few companies provided a video when releasing a black single or LP. Indeed, as late as April 1985, companies still provided only 50 per cent of the singles in the black top 40 with videos. For that month's standard top 40--with many white artists--there were only two that didn't have videos, and both expected them within two weeks.

In May 1980, BET allocated $1 million for the production of traditionally black college football and basketball contests and for cable specials.

Fall 1980

With the commencement of black college football, BET turned to planning the cablecasting of 10 special events, including the entertainment portions of the Annual Urban League Banquet, the Black Filmmakers Hall of Fame ceremony, and the NAACP Image Awards. (By January 1992, the NAACP Image Awards had migrated--in their entirety--to the ABC Network.)

BET's longest running show, the Bobby Jones Gospel program debuted as a half-hour vehicle for the former professor and circuit lecturer. Black Showcase, another half-hour offering appeared as well.

Spring 1981

BET wins an Award for Cablecasting Excellence (ACE) at the National Cable Television Association (NCTA) banquet in Los Angeles for its coverage of black college basketball.

Summer 1981

Video Soul, a music video show which today features interviews and live performances, debuted as a half-hour program with Donnie Simpson and co-host Sheila Banks. Nowadays it is seen 34 hours per week. Simpson, who became lone host in 1982, also continued on as a DJ at WKYS-FM, Washington, DC, because he expected music videos "to fade out" (Perkins, 1990b). Video Soul did not fade but rather has become the chief money-making programming asset for BET with Simpson the most recognizable face at the network. It is Video Soul and its BET offshoots that not only saved black music by creating a brand new video industry but now heavily influence urban radio program decision-making (Nathan, 1990b; Perkins, 1990b).

Summer 1982

Late in the summer of 1982, BET switches satellites and begins broadcasting seven days a week from 8 p.m. - 2 a.m. Bob Johnson announces a major commitment to music video by increasing the air time for Video Soul.

Fall 1982

Eighty per cent of all BET programming still comes from syndicates. Only 20 per cent is BET produced, all of it college sports.

Fall 1983

Video Soul begins in-house production and expands to six hours of urban contemporary video per week. It also features interviews, and a behind-the-scenes look at the music industry.

Fall 1984

As BET expands to 24-hour-per-day service, Video Vibrations makes its debut with host and producer "Unseen VJ" Alvin Jones, who like Simpson kept his radio job--at WHUR-FM--until also joining WKRS-FM in 1990. According to Jones, the show encompassed "a real diversity of music, everything from rhythm and blues and reggae to rock and country." Prince's "When Doves Cry" was the first video shown on the program, which also aired Bruce Springsteen, Scandal, Rod Stewart, and Bob Marley (Nathan, 1990a, p. 6). By 1990, it would also include house, rap, and dance pop (Perkins, 1990b).

Spring 1985

Midnight Love debuts with ballads and soft rhythm and blues--"love songs" (Perkins, 1990b). (Artists whose recordings appear on the show today include Luther Vandross and Anita Baker.) Airing 18 hours a day of programming, most of it music videos, BET is widely referred to as "essentially a black music video service" (BET: still small, 1985, p. 67). However, motion pictures featuring blacks are also shown, along with off-network shows featuring a black actor, e.g. The Original Bill Cosby Show and I Spy. Major black college sports complete an 8-hour loop, which is repeated twice. The remaining six hours is given over to program-length paid "infomercials."

Fall 1985

BET continues its 24-hour cablecasting but is seen only three hours late each night in some large urban centers like New York City. Asked why BET programs 16 hours a day of music videos, Johnson replies," "because they're hot and they're free. People like to watch them and advertisers like to buy them" (Smikle, 1985, p. 65). BET adds an "entertainment" news show and a children's program with Nipsey Russell.

For the near future, BET promises a call-in psychology show and a lifestyle program on black celebrities. Johnson also acquires shows produced for the major networks but never aired after convincing the Directors Guild to forego residuals and allow Columbia Pictures to close the deal (Smikle, 1985, p. 65).

Spring 1986

Soft Notes, another music video show, debuts with Jazz and

New Age music. Soft rock, jazz-pop, and fusion jazz are added later.

Summer 1986

Video LP debuts with BET's first female VJ Sherry Carter, who began her career at WJMO-AM in Cleveland in 1984 and who briefly hosted a local Cleveland video show, as well as a cable shopping network (QVC) segment in 1986 (Nathan, 1990a, p.6). The 30-minute show takes the audience behind the scene to check on some of the hot names in contemporary black music.

Fall 1986

BET News begins broadcasting after Johnson makes announcement at 16th Congressional Black Caucus. It will be the first national black news program (BET highlights). On the Line...., a news and public affairs call-in show begins with host Doris McMillon. Within a few months the show will host a discussion by guests "eloquently opposed" to the return of Amos 'n' Andy. Call-in-viewers vote 82 per cent against the experts ("Amos 'n' Andy" revival, 1987).

Spring 1987

Tell Me Something Good, a game show, debuts with "Mayor" Chris Thomas, after he appears in a 4-minute segment the network did for another new show, This Week in Black Entertainment. Thomas began making a name for himself as a successful stand-up comedian in 1980, subsequently touring with Luther Vandross, Patti Labelle, Prince, and Al Jarreau. He had his own show on radio station WHUR-FM (Wash., DC) in 1984-85 before being approached by BET.

Fall 1988

Johnson announces that his network will premiere nine original BET produced shows in the new 1989-90 fall season. Inside Studio A, a Dick Clark-like dance special, goes on the air.

Spring 1989

BET is currently producing 80 per cent of its programming, but this is somewhat misleading since the figure includes numerous music videos ocassionally interrupted by a VJ host. Advertising agency media directors like Deborah Thomas of Mingo Group complain that there is too much programming for younger audiences, not enough for older audiences. BET targets its younger audience with: (1) music videos, (2) movies, and (3) college sports. To the older audience it offers (1) a nightly news program and (2) Going Places, a travelogue. In development are (1) Teen Summit, an issue-oriented talk show for teens, (2) Personal Diary, a one-on-one Barbara Walters-type interview with black celebrities, (3) On Stage, a series of one-act plays on black historical personalities, (4) a stand-up comedy show, (5) several news and public affairs shows, (6) a late night talk show, (7) a teen magazine show, (8) a sports phone-in show, (9) a series of live in-studio concerts, and (10) a weekly soap opera update show. BET announces its intention of moving toward live interactive TV with 95 per cent of future programming to include direct viewer involvement (Donaton, 1989; Osborne, 1989, p. 24).

Fall 1989

Our Voices, a call-in forum for viewers to talk about what's happening among themselves, debuts with Bev Smith. Video Gospel also begins and is the only conduit for gospel artists such as Albertina Walker, Rev. James Cleveland, Andrae Crouch, Sally Martin, and Edwin Hawkins. Produced by Bobby Jones of the long-running Bobby Jones Gospel hour, it also includes special guests like Maya Angelou, Oprah Winfrey, Louis Farrakhan, Millie Johnson, Take 6, and Thelma Houston (Nathan 1990a, p. 6).

Spring 1990

Frank's Place, a discarded but Emmy Award winning CBS series with Tim and Daphne Reid, debuts on BET. A New Orleans Cajun comedy, it stars Reid as Frank Parrish, a buttoned-down Harvard professor who mixes it up with the employees of the Crescent City creole eatery he inherits.

Rap City, which was a hurry-up development to meet the competition of MTV's Yo! MTV Raps, loses experienced DJ Alvin Jones, who will work on and host Video Vibrations, Midnight Love, and Soft Notes. "Mayor" Chris Thomas takes over and promises to treat rap in a serious way, keep it clean, but still infuse the show with humor[3] (Nathan, 1990a, pp. 6, 22). Thomas adds hip-hop music to playlist (Perkins, 1990b). BET is developing a new edition of audience dance participation show Inside Studio A, the first in two years. BET envisions the dance show becoming a quarterly or monthly special, featuring acts from different record companies. More than 2,500 videos are now held in the BET video collection.

Summer 1990

Video Soul with Donnie Simpson airs three times a week during school summer vacation instead of once. Some location shooting is attempted and many guest hosts are scheduled. Video Vibrations, Midnight Love, and Soft Notes remain on their usual schedule but Rap City goes on hiatus. Meanwhile, MTV'sYo! MTV Raps expands from 30-minutes to one hour for the summer (Newman, 1990b, p. 68).

Fall 1990

Short-lived Too Hot, a ballads and soft rhythm and blues show, appears. Music videos still make up 40 per cent of BET's programming (Perkins, 1990a). Other fall debuts include:

- Sound and Style With Ramsey Lewis, a music-oriented jazz talk show hosted by the well-known pianist. (The show's name is changed to BET On Jazz in 1991.);
- Kimboo, a cartoon about an African boy's trek across the world;
- This Week In Black Entertainment, a TV and movie review show co-hosted by former Miss America Suzette Charles and Melvin Lindsey;
- Family Figures, a feud style show, except contestants win by answering questions on black history, life, and culture;
- Live From LA, a Larry King-style talk show featuring call-ins. This first BET product delivered from Los Angeles is offered as an alternative to Entertainment Tonight and even Arsenio Hall, which can showcase only the very top black artists. Tanya Hart hosts.

Teen Summit wins National Education Association (NEA) award for providing positive programs for teens, who discuss everything from drug use and racism to dating. Lisa Johnson is the show's host.

A deal is struck with Tim Reid, who agrees to supply BET with made-for-cable movies, network movies, documentaries, specials, and feature films. Johnson says Reid's productions "will depict the diversity of black lifestyles, in fact and fiction" (Perkins, 1990a). The joint BET/Reid venture is named United Image Entertainment.

BET News is scaled-down to a Friday afternoon once-weekly show, which is repeated on Saturday. News anchor Ed Gordon also hosts (1) Personal Diary, a 30-minute interview show with black notables from public life, (2) Black Agenda 2,000, which soon becomes For The Record, a series of town meetings on black issues, originally including members of the Congressional Black Caucus. In its new format, Ed Maddox is host.

This Week In Black Entertainment, which is soon to become Screen Scene is produced by Billy Woodruff who, in addition to music, covers theater, dance, and art education.

Spring 1991

Zap, a children's show with muppet-like characters and live action originally produced by the Family Channel, premiers in January 1991 but soon disappears from BET.

Desmond's, a British sit-com about black colonials trying to make a go of it in London, joins the BET schedule. Redd Foxx's Sanford is recycled for BET viewers.

Fall 1991

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For The Record is replaced by Lead Story, a This Week With David Brinkley-type show hosted by Ed Gordon with male and female journalists from well-known newspapers and black publications.

BET News Briefs goes on the air with correspondent Madelyne Woods. Show gives quick headlines between other programs.

BET acquires rights to the 470 episodes of Generations, the multi-racial NBC off-network series, which it begins showing in prime time.

Melvin Lindsey assumes VJ role for Midnight Love. Lindsey also co-hosts Screen Scene with Angela Stribling.

BET begins broadcasting in stereo.

Currently

Ignoring pre-emptive sports, theatrical, and holiday specials, the following grid shows the approximate programming schedule for BET as of February 1992. There continues to be considerable program churn, on almost a weekly basis, so no schedule can be completely up-to-date:

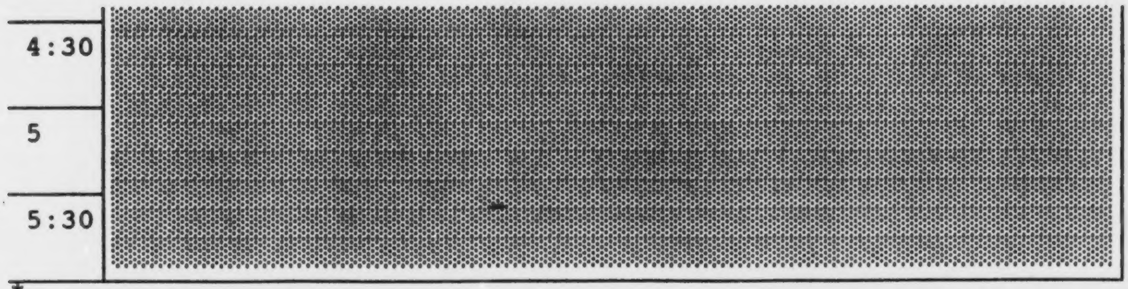
Table - 1

PROGRAM GUIDE*
BET - Black Entertainment Television
as of Feb. 2, 1992

Time EST	Mon	Tues	Wed	Thurs	Fri	Sat	Sun
6 am	▨	▨	▨	▨	▨	▨	▨
6:30	▨	▨	▨	▨	▨	▨	▨
7	▨	▨	▨	▨	▨	▨	▨
7:30	▨	▨	▨	▨	▨	▨	▨
8	▨	▨	▨	▨	▨	???????	▨
8:30	▨	▨	▨	▨	▨	Kimboo	▨
9	<——Our Voices——>					Video Soul (9-11 pm)	Bobby Jones Gospel Hour (9-10am)
9:30	<——Video LP——>						

10	<—Soft Notes—> (10-11 am)						Video Gospel
10:30							BET On Jazz
11	<—Live From LA—>				BET On Jazz	Rap City (11 am-noon)	Lead Story
11:30	<—Screen Scene—>						Our Voices
noon	<—Generations—>					Teen Summit (noon-1 pm)	Personal Diary
12:30	Frank's Place	Sanford	Comedy	Desmond	Frank's Place		Screen Scene
1 pm	<—Video Vibrations—> (1-3 pm)					Screen Scene	▨
1:30						Soloflex Advert.	
2						Black College Foot- or Basket-ball (2-5 pm)	
2:30							
3	<—Video Soul—> (3-5 pm)				Video Soul Top 20 (3-5 pm)		
3:30							
4							
4:30							
5	<—Rap City—> (5-6 pm)						
5:30							
6 pm	<—Video LP—>					Teen Summit (6-7pm)	
6:30	<—Live From La—>						
7	<—Our Voices—>				BET	BET	

	(or Dialog W/ Black Filmmakers)				News	News	
7:30	<——Screen Scene——>					Lead Story	
8	Home-room	Sanford & Son	Comedy	Desmond	Frank's Place	Black College Foot- or Basket-ball (8-11 pm)	
8:30	<——Video Soul——> (8:30-11 pm)						
9							Bobby Jones Gospel Hour (9-10pm)
9:30							
10							Lead Story
10:30							BET On Jazz
11	<——Screen Scene——>				BET News	Video Soul (11am-1 pm)	
11:30	<——Generations——>						
mid	<——Midnight Love——> (Midnight-1 am)						
12:30							
1 am						Rap City (1-2 pm)	
1:30							
2	<——Video Soul——> (2-4 am)					Video Vibra-tions (2-4 pm)	
2:30							
3							
3:30							
4							



* Special Audience Programming, i.e. program-lebgth paid programming--so-called "infomercials"--are represented by the hatched area.

Audience Characteristics

In its 12 years of operation, BET has increased its pool of paying subscribers from 3.8 million to more than 33 million, a gain of 868 per cent. And while 33 million represents only about one-third of total U.S. cable households, it is a figure that can continue to grow as long-delayed franchises move into the black populated areas of large urban cities. (Forty per cent of U.S. homes are still not wired for cable.) Nonetheless, there is less here than meets the "idea." BET typically draws a rating[4] of only 0.5 percent of homes it reaches for a puny audience of 158,000 during prime time (Robichaux, 1991, p. B6). On occasion, it has pulled a 4.4 rating and 6 share, which was more than all other basic cable services except WTBS-Atlanta, but that was in October 1984 before many current services were on the air or matured (BET: still small, 1985, p. 68).

Although aimed specifically at blacks since as early as 1982, BET programming consistently finds that about 25 per cent of viewing households today are white. Even more interesting, about 60 per cent of BET viewers are not black even though cable has been available to the black community on the same scale as to the general population since 1981 (Perkins, 1990a; Cable, tv get big plug, 1981, p. 64). Blacks, it should be noted, watch substantially more TV than whites and are more brand conscious (Robichaux, 1991, p. B6; Gibson, 1978).

Turning to a recent demographic profile (Table - 2) supplied by BET, it is found that the network's audience is quite similar to the profile of the average American viewer, quite surprising since unemployment and general economic conditions in the black

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Table - 2

DEMOGRAPHIC PROFILE

DEMOGRAPHIC PROFILE OF
BLACK ENTERTAINMENT TELEVISION AUDIENCE
COMPARED WITH TOTAL OF U.S. ADULTS

Demographic Category	U.S. Adults %	U.S. Adults Index	BET Adults %	BET Adults Index
Sex				
Men	47.7	100	48.0	103
Women	52.3	100	52.0	100
Education				
Graduated College	17.8	100	13.9	78
Attended College	18.4	100	21.0	114
Graduated High School	39.3	100	39.8	101
Age				

18-24	13.9	100	25.6	184
25-24	24.1	100	29.8	124
35-44	19.8	100	20.1	102
45-54	13.7	100	10.7	78
55-64	12.3	100	5.0	41
65+	16.3	100	8.7	54
18-34	38.0	100	55.4	146
18-49	65.2	100	80.9	124
Employment				
Full Time	54.2	100	59.1	109
Part Time	9.3	100	9.2	99
Not Employed	36.5	100	36.5	87
Occupation				
Executive/Managerial	8.2	100	6.3	76
Clerical/Technical/Sales	19.6	100	22.8	117
Precision/Crafts	7.5	100	5.5	73
Other Employed	19.4	100	26.7	138
Household Income				
$20,000+	66.72	100	74.45	112
$30,000+	50.43	100	59.05	117
$40,000+	35.89	100	42.87	119
$50,000+	24.75	100	29.56	119
$60,000+	16.44	100	19.62	119

Median Household Income
$28,435

Source: MRI Spring 1990 and NTI, 1991 (BET Fact Sheet: demographic profile).

community are significantly more severe. About the same proportion of men and women in the general population watch TV as do BET adults. As for educational background of the BET viewers, the percentages are the same for those who graduated from high school or attended college, with there being about 20 per cent less college graduates among the BET viewers. Just about as many BET viewers are employed full or part time as other U.S. television watchers, but 13 per cent less BET viewers have a job. Not surprisingly, the general TV viewer population holds more jobs in executive and management positions while BET viewers are more likely to be in clerical, technical, or sales positions. Less BET viewers are skilled craftsmen, and a substantially greater percentage are in the catchall category of "other," which may refer to unskilled labor. Some of the largest demographic differences are in the area of age. By an almost 2 to 1 ratio, BET viewers are found in the 18-24 year-old category. By the same token, the reverse is true for the 55 and up group. In other words, the BET audience is substantially younger than the general U.S. television viewing audience. Finally, the average income, at all salary levels is slightly higher for BET adults than for the general U.S. population.

The above information comports well with the single BET audience study generally available. In that 1990 study of black cable subscribers in Athens, GA, Jones discovered that "younger and high racially oriented respondents tended to be heavier viewers of and more satisfied with the BET programs than black-oriented programming on major network channels" (Jones, 1990) p. 477). Although Jones' entire sample was black--rather than proportional to the real BET racial mix--it really does not matter since the demographics of the Athens study don't vary much from the current BET demographic profile. And this profile has already been shown to be quite similar to the general U.S. viewing population. On the basis of all information presented in this section, and earlier, it seems fair to hazard a guess that the BET audience can be largely thought of as two groups: (1) young pop music fans of all races and ethnic backgrounds, and (2) older, highly educated blacks interested in the educational-enlightening experience typically offered by public broadcasting.

Financing through Advertising and Subscriber Base

To generate the revenues necessary to create the original programming that is expected to further organizational growth, BET has relied on two main sources from the first day of operation: (1) commercial advertising and (2) subscriber fees collected by cable operators. Throughout, BET has benefitted from the wise business choices of Bob Johnson--not the least of which is the alignment of his network with powerful partners--as well as from opprobrium that has been heaped on advertisers and cable operators for alleged insensitivies toward blacks. As a result of this confluence of strategies and skills, BET advertising and subscriber base revenues have steadily increased during all of the network's history. Discounting some minor sources of income, about 60 per cent of BET revenue comes from advertising and 40 per cent from subscriber fees[5] (BET: still small, 1985; Robichaux, 1991, p. B6).

Advertising

Ever since BET opened its doors in 1980 with the advertising support of the already-mentioned six major companies, the addition of new accounts has continued. By its first anniversary, BET had gained the financial support of nine more blue-chip advertisers: (1) U.S. Army, (2) AMTRAK, (3) General Electric, (4) Phillips Petroleum, (5) Xerox, (6) Mobil Oil, (7) U.S. Navy, (8) Metropolitan Life, and (9) Federal Acquisition Institute. By the middle of the following year, BET had 19 major advertisers, including Anheuser-Busch, which agreed in February 1982 to BET's "Give us a Break!" proffer and a multi-million-dollar 4-year ad buy. Proctor & Gamble joined as a top 10 BET advertiser in 1988 after black media executives from the National Association of Black Owned Broadcasters (NABOB) criticized P&G for alleged limited use of black owned media (Donaton, 1988). The cost of the deal was not revealed. By summer 1991 BET could list 124 advertisers, many of them major corporations or institutions. BET still retains 60 per cent of the major companies who have advertised with them since 1981. Among key current BET advertisers are Amtrak, AT&T, Bristol-Myers, Campbell Soup, Coca-Cola, Ford Motor, General Foods, General Mills, General Motors, Lever Bros, RJR/Nabisco Brands, Polaroid, P&G, Ralston Purina, Revlon, Time, United Airlines, and Wm. Wrigley & Sons. Now in its 11th year on BET, Anheuser-Busch buys 44 spots a week, 52 weeks a year, some featuring black actors. By contrast, Coke, which has been with BET since 1983, only spends a small fraction of its budget on BET, which is available at $3.50 per thousand households in prime time, compared to the $8.24 cable average. Prior to inclusion in the Nielsen Ratings in 1986, BET charged $800 on its rate card for a 30-second spot, but accepted $650 per average sale. At present, the BET advertising pitch is a sweeping syllogism: (1) blacks watch more TV than any other group in the US, (2) blacks watch programming that features blacks in leading roles or reflects their cultural interests more than general interest programming, thus (3) BET is the tool to reach black consumers (Donaton, 1989, p. s32).

In 1985, 55 per cent of advertising on BET's central eight hour programming block was paid for by major advertisers; the rest was per inquiry. Comparable figures for 1991 are not yet available, but BET does sell a lot of commercial time to those hawking astrology, psychic connections, horoscopes, tarot card readings, and miracle diet pills, no one of which is mentioned in their list of current advertisers.

A final source of advertising revenue is what BET calls Special Audience Programming--program-length "Infomercials," offering everything from real estate to religion. Most run between 4 and 9 a.m. or throughout the day Sunday. Infomercials account for about one-third of BET "programming," down from one-half in 1987.

Advertising revenues, which are kept track of by Paul Kagan Associates for basic cable services, were estimated to be $2.5 million for 1984 and $4.5 million for 1985, the first profitable BET year (BET: still small, 1985, 1985, p. 68; Robichaux, 1991, p. B6). Advertising revenues for later years can be estimated by taking 60 per cent of total revenues (Table - 5).

It is expected that ad revenue will increase because the black population in the 35-44 age group, a main target of advertisers will increase by 30 per cent by the end of the decade (Robichaux, 1991, p. B6).

Subscriber Fees

Most basic cable services are advertiser supported, but a few popular ones also receive per-subscriber fees collected by the individual cable operators. Industry-wide per-subscriber payments in 1987 ranged from $.02 to about $.25, with ESPN earning $.19 for each household; CNN $.15-$.22; MTV $.10-.15; and C-Span $.03. Basic cable services that want to reach specific audiences, like the Christian Broadcasting Network (CBN) or Univision (formerly the Spanish International Network--SIN), rely entirely on advertising or they themselves pay cable operators a per-subscriber fee to deliver their programming. Accordingly, while still called the Spanish International Network, Univision's motto was "SIN pays." Although much less watched than ESPN, CNN, MTV, and many other services, BET has since its founding received a per-subscriber fee from cable operators (Head, 1987). Starting at $.025 in 1980, the fee has been rising dramatically in recent years and will reach $.10 in 1994. Part of the rise, no doubt, is because almost half of BET's subscriber base comes from cable systems owned by HBO and TCI, BET's long-time minority partners and benefactors. (In a like manner, TCI also supports VISN, the religious channel, perhaps as an additional part of its franchising strategy.) Another reason for the recent ability to increase subscriber fees is that Johnson could appeal to the captive ears of his partners by insisting that the "additional revenue will go toward improving the quality of our programming" (Donaton, 1989, p. s31).

A lot of confusion surrounds the term "subscriber-fee," which actually is a "per-household fee." Some writers like Ken

Perkins of the Dallas Morning News have mistakenly assumed that "subscriber" means "viewer." But this is decidedly not so. While BET may currently have 33 million "subscribers" for whom the network is paid $.08 per month, a premiere BET show will usually draw not more than the already mentioned 158,000 "viewers" during prime time. BET itself contributes to the confusion by a misuse of the two terms in its Fact Sheets (BET Highlights).

Some sense of how BET-assessed subscriber revenues have increased over the years can be had by examining Table - 3:

Table - 3

Past & Projected Per-Subscriber Cost
of BET to Cable Operators

Date	Per-Sub Fee		Number of Subscribers		Total Subscriber Cost Per Month
1994 (Jan)	$ .10				
1993 (Jan)	.09				
1992 (Jan)	.08	X	33.0 million	=	$ 2,528,000 @ month
1991 (Jan)	.07	X	29.7 million	=	$ 2,079,000 @ month
1990 (Jan)	.06	X	25.0 million	=	$ 1,500,000 @ month
1989 (Apr)	.05	X	20.7 million	=	$ 1,035,000 @ month
1985 (Nov)	.03	X	9.0 million	=	$ 275,000 @ month
1985 (Feb)	.03	X	8.5 million	=	$ 255,000 @ month
1985 (Jan)	.025	X	8.0 million	=	$ 200,000 @ month
1980 (Jan)	.025	X	3.8 million	=	$ 95,000 @ month

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*Compiled from *Advertising Age*, *The Wall Street Journal*, *Black Enterprise*, BET Fact Sheets, and other sources.

Please note that the actual average *collected* monthly fee for most years was substantially less, e.g.:

- 1985 was $ .025, not $ .03
- 1990 was $ .044, not $ .06
- 1991 was $ .062, not $ .07

The above figures, however, still represent a 41% increase in subscriber fees from 1990 to 1991, which may mean $30 million additional revenues from 1989-1994.

As is apparent, the growth of subscriber-fee revenues is also directly dependent on an increase in subscribers, the BET history and projected future of which is detailed in Table - 4. Since BET only reached about 1/3rd of America's 93.1 million households as of July 14, 1991, and has still not saturated most urban areas, it is likely that BET subscription numbers will increase in the years immediately ahead. This is particularly so since, as mentioned, the black population in the 35-44 age group is also expected to grow 30% by the end of the decade. [BET Fact Sheet: subscriber information; Robichaux, 1991, p. B6)

Table - 4

BET's Growth 1980 - 1992
Households and Cable Systems

Black Entertainment Television has grown 868 per cent since its founding in 1980. This table shows the increase in number of households receiving BET and the number of cable systems that carry it.

Dates Surveyed	Households	Cable Systems
Jan. 25, 1980	3.8 million	350
Sep. 10, 1980	5.0 million	499 (47 states)
Jan. 25, 1981	5.3 million	544
Jul. 31, 1982	8/10.0 million	
Aug. 15, 1982	2.0 million*	200
Apr. 15, 1983	4.5 million	452
Apr. 1, 1984	6.4 million	594
Sep. 3, 1984	7.0 million	
Oct. 1, 1984	7.6 million	630
Jan. 25, 1985	8.0 million	673 (40 states)
Feb. 18, 1985	8.5 million	
Nov. 1985	9.0 million	
Sep. 15, 1986	13.0 million	834
Nov. 1, 1987	17.4 million	1,000
Apr. 10, 1989	20.7 million	
Jun. 1, 1989	23.0 million	1,300
Jan. 25, 1990	25.0 million	2,100
Apr. 1, 1990	27.0 million	2,200
Oct. 1, 1990	29.1 million	2,400
Nov. 1990	24.5 million	
Nov. 4, 1990	28.0 million	
Dec. 7, 1990	30.0 million	
Jan. 7, 1991	29.7 million	
Jul. 14, 1991	31.6 million	2,394
Jan. 1, 1992	33.0 million	(projected)
199?	66.0 million	(BET projection as cable penetrates major urban markets)

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*In August 1982, BET switched to Westar V, losing 6-8 million viewers but broadcasting in prime time from 8 p.m. until 2 a.m. (Compiled from Dallas Morning News, Essence, USA Today, BET Fact Sheets, and other sources.)

Total revenue growth over the life of BET is largely a combination of advertising and subscriber fees. This development of available income is shown in Table - 5:

Table - 5

BET Operating Revenues:
Includes Advertising & Subscriber Fees*

1983	\$ 5.0 million
1984	\$ 5.0 million
1985	\$ 6.5 million (est.)
1986	-------------
1987	\$ 9.1 million
1988	\$12.0 million
1988	\$12.7 million
1989	\$15.0 million (est.)
1990	\$18.0 million
1991	\$50.8 million
1991	\$51.0 million
1992	\$75.0 million (est.)

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*Compiled from Fortune, Broadcasting, Advertising Age, Wall Street Journal, BET Fact Sheets, and other sources.

In conclusion, cable operators who are financing much of BET's subscriber-fee-driven revenues-increase are beginning to become critical of the quality of BET programming--in particular its reliance on "infomercials." (Robichaux, 1991, p. B6) More generally, top 10 Multiple System Operator (MSO) Continental Cablevision, which offers BET on about two-thirds of its systems, has publicly become "impatient to see them do more." With this in mind, the shortfall between the assessed subscriber-fee and that actually collected can be viewed as a discernible measure of cable operator resistance to BET programming. Recently, BET has said it would rachet its program development budget from \$15 million in 1990 to \$60 million in 1992. Whether this will be carried out and whether it increases viewership or leads from resistance against cable operators to open rebellion is a question whose answer lies in the future.

A Speculative Drawing Together

With some justification, it is believed that Malcolm X began in the last year of life to find something good to say about some whites (Rodgers and Rogers, 1983; Rodgers, 1976). BET's own beliefs about whites, which are embodied in Bob Johnson's public statements, seem to be advancing his network in exactly the opposite direction--at least philosophically. Despite this trend, BET's revenues--particularly those from subscriber fees--have risen dramatically and may even temporarily double again when all urban centers have been wired with new cable franchises. However, BET's strong subscriber revenues may prove to be a Trojan horse unless it shifts programming direction before the Zeitgeist does, a possibility adumbrated by the presidential candidacies of David Duke and Pat Buchanan. If the winds of diversity change after most of the desirable urban franchises have been awarded, it may no longer seem as necessary for MSOs and other cable operators to pay a stiff rate for a miniscule BET audience, more than half of which will likely be non-black. Revenues vital to BET program origination could collapse, initiating a downward spiral of weaker programming followed by a subscriber fee and advertising revenue loss, followed by still weaker programming, and so on.

One way to interrupt such a chain reaction would be for BET to schedule ever more entertainment programming for Americans of all colors in place of the present and growing emphasis on "education and enlightenment" of blacks alone. While such a metamorphosis is not beyond the diplomatic skills of Bob Johnson, it would mean abandoning or seriously scaling back attempts to create the new black citizen in a new black society here in America. The urgency and speed with which the crisis falls upon BET will no doubt be directly linked to new counter programming by MTV as it goes after the economic lifeblood of the black network by acquiring and exhibiting an ever-larger share of black video releases.

By marshalling its many conglomerate resources, BET may well choose to fight against the pressures to shift to entertainment programming and a slide to assimilation, but it is hard to believe they will be any more successful in this struggle than the highly-educated, extremely-wealthy Scandinavian cultures have been in holding back the flood-tide of foreign entertainment programs, particularly those from America. In Finland, for example, the only hope seems to be an improved entertainment product that could draw ever increasing viewership and later be syndicated to the world. Whether such a strategy will work, no one yet knows, but the other road leads to the disappearance of homegrown television broadcasting, except for a small news service (Slade and Barchak, 1989).

Even strong BET supporters like academic researcher Felecia Jones is aware of the consequences as the character of BET's programming becomes apparent to its audience:

> "The novelty of the channel as much as the concept of the channel may influence the [current] favorable attitudes toward the programs. The continuation of this reaction may depend on how

well the channel develops its programming. BET has been widely criticized for its limited programming choices. If BET programming does not at least equal the programming quality of the networks, the favorable reaction to BET may decrease as the novelty wears off" (Jones, 1990).

To date, the resistance to BET programming is substantial. Of 10 million blacks able to receive BET, no more than a small percentage watch the network's programming during the prime viewing hours. Off-hour viewership must be significantly less.

A longtime dream is never easy to relinquish, and this was surely true for Malcolm X. Nevertheless, the winds are changing everywhere. Blacks, according to a nationwide survey by the Detroit News and the Gannett News Service, are more concerned with problems like crime, unemployment, and inadequate education than are many black leadership groups. More than 94 percent of black adults believe that such groups as "the NAACP and the Southern Christian Leadership Conference--which played vital roles in the civil rights battles of the 1950s and 1960s--have lost touch with everyday problems" (Poll: groups off mark, 1992, p. 20). By the same token, black audiences who watch much more TV than other Americans show by their massive disinterest in BET programming that they want something else from their TV than education and enlightenment--a sentiment shared by their fellow citizens around the world. It is not entirely impossible that BET will follow suit and draw its era of ideology to a close. One glimmer in that direction is the parnership of BET with producer Tim Reid, whose mandate is for black shows but whose heart is for America and its people. Interviewed for an article in Television/Radio Age entitled, "Is there any such thing as black programming?," Reid responded to the central question with this unvarnished view:

> "I'm sure in some people's minds there is such a thing as black programming--programming aimed at blacks, but you'd hope there wouldn't be. You'd hope for American shows about Americans" (Liska, 1987).

While the position of this gifted entertainment professional may perplex many at BET, for every color and hue of integrationist--if not internationalist--it is a consummation devoutly to be wished.

NOTES

[1] To be sure, Johnson has parried every suggestion that BET's objective should be education rather than entertainment, but he is quick to add that BET does air News, issue-oriented talk shows, and public affairs shows, including one for teens.

[2] After conversations I had with officials at TCI in fall 1991, BET was added to the evening grid of Cable Guide Magazine in February 1991--at least this was so for the Arkansas-Louisiana region. (Converstations with John Mosher, TCI November 1991)

[3] Thomas is not the only member of BET trying to keep the music clean. BET senior producer of music Verna Dickerson was screening 15 videos a day in 1990 to keep out anything offensive. (A Day in the Life)

[4] A Rating, which is the percentage of TV homes tuned to a given station or program, is calculated by dividing the number of homes watching the station by the total number of TV homes and multiplying by 100, e.g:

$$\underset{(1991)}{\text{BET avg. prime time rating}} = \frac{158{,}000}{31{,}600{,}000} = .005 \text{ X } 100 = .5\% = .5$$

Ratings are partcularly useful to advertisers who want to know the size of the audience which has seen their commercials.

[5] An example of a minor source of revenue is the use of a "900 number" during the polling of viewers on the possible return of Amos 'n' Andy to the air. Possible other minor sources of revenue are the leasing of BET facilities or equipment or the production of video and audio tapes for other groups and organizations.

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BEYOND REASON:
A FEMINIST THEORY OF ETHICS FOR JOURNALISTS

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Beyond Reason:
A Feminist Theory of Ethics for Journalists

Ask a journalist if he or she follows a deontological[1] theory of ethics. If not, how about utilitarianism,[2] or maybe its more refined counterpart, rule utilitarianism[3]?

Ethical questions can arise, for instance, from investigating news stories, deciding what stories should run, how they should be played, or what kind of pictures should accompany them. Scant help comes from the categorical imperative in its primary formulation, "So act that the maxim of your will could always hold at the same time as a principle establishing universal law."[4] Likewise, the greatest good for the greatest number is a nebulous concept. Reporters and editors working under time pressure are in need of ethical guidance which abstract philosophical theory simply cannot provide.

One theory of ethics that is more workable is emotivism. This theory stresses empathy, and it emphasizes the importance of the emotional or emotive content of ethical decisions. Because of its acceptance of emotions, this theory runs counter to most traditional, male Western philosophy.

This paper will briefly present a history of ethicists' attitudes toward emotions and then present an outline of a feminist ethics for journalists based on a more positive attitude toward emotion.

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[1] A deontological theory of ethics is a duty-based theory. Immanuel Kant is a foremost proponent of duty-based ethics.

[2] John Stuart Mill, undoubtedly, is the most famous utilitarian. His philosophical predecessor was Jeremy Bentham. See John Stuart Mill, *Mill's Ethical Writings*, ed. with an introduction by J.B. Schneewind (New York: Collier-Macmillan, 1965), p. 55.

[3] Rule utilitarianism:

> [Takes] the view that the Utilitarian principle is to apply primarily to rules rather than to particular acts, that its use comes not in determining the rights and wrongs of individual cases but in deciding for or against the adoption of secondary rules which, once adopted, will be the final determinant of specific obligations. On this view there may be instances in which it would be right to do what is not productive of the greatest good of the greatest number, if such an act is dictated by a rule that sets up a social practice or general way of behavior that is useful in most cases. It is, for example, useful on the whole to have the social practice of promise-making and promise-keeping.

J.B. Schneewind, Introduction, *Mill's Ethical Writings*, pp. 33-34.

For an overview of various philosophical theories, including deontological ethics, utilitarianism, and rule utilitarianism, see generally, Edmund B. Lambeth, *Committed Journalism* (Bloomington: Indiana University Press, 1986).

[4] Immanuel Kant, *Critique of Practical Reason*, trans. with an introduction by Lewis White Beck (New York: Bobbs-Merrill, 1956), p. 30. *See also* Immanuel Kant, *Foundations of the Metaphysics of Morals*, trans. with an introduction by Lewis White Beck (New York: Bobbs-Merrill, 1959), p. 39; Immanuel Kant, *The Metaphysical Principles of Virtue*, trans. by James Ellington with an introduction by Warner Wick (New York: Bobbs-Merrill, 1964), p. 54.

Beyond Sexism

"Women are 10 percent brains, 90 percent emotion," Charleton Heston tells Sal Mineo in the 1955 movie, *The Private War of Major Benson*. The message is clear: Men will only addle their brains if they listen to women, so men should not listen to women.

Perhaps no one has done more to listen to the voice of women and urge that their voice be heard than Carol Gilligan. Her work is grounded in that of two male predecessors; but she was able to hear what they had not.

Jean Piaget, Lawrence Kohlberg, and Carol Gilligan all expound theories about stages of moral development which are based on psychological research. Kohlberg built on the work of Piaget, Gilligan on the work of Kohlberg. But while the theories of Piaget and Kohlberg emphasize development of a sense of justice, or fairness, Gilligan's theory emphasizes the development of a morality of care.[5]

Gilligan emphasizes "a different voice"—the voice primarily of women. Her work shows that more males prefer a justice model of ethics and more females prefer a care model.[6] Gilligan says:

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[5] *See, e.g.*, Jean Piaget, *The Moral Judgment of the Child*, trans. by M. Gabain (New York: Free Press, 1965) (originally published in 1932); Lawrence Kohlberg, *Essays on Moral Development, Volume II, The Psychology of Moral Development* (New York: Harper and Row, 1984); and Carol Gilligan, *In a Different Voice: Psychological Theory and Women's Development* (Cambridge, Mass: Harvard University Press, 1982). The work of Piaget, Kohlberg, and Gilligan is a subject for popular magazines, not just research journals. *See, e.g.*, Anthony Brandt, "The Moral Superiority of (a) Men (b) Women," 32 *Playboy* 92 (Sep. 1985).

[6] Gilligan says, "No claims are made about the origins of the differences described or their distribution in a wider population, across cultures, or through time. Clearly these differences arise in a social context where factors of social status and power combine with reproductive biology to shape the experience of males and females and the relations between the sexes." Gilligan at p. 2.

In a recent article, *Time* explored gender differences, emphasizing the role biology plays. *See* Christine Gorman, "Sizing Up The Sexes," *Time* (Jan. 20, 1992), pp. 42-48, 51. The basic conclusion of the article is: "Scientists are discovering that gender differences have as much to do with the biology of the brain as with the way we are raised." *Id.* at 42.

For a more extended study of gender differences, see, e.g., Virginia E. O'Leary, Rhoda Kesler Under, and Barbara Strudler Wallston, eds., *Women, Gender, and Social Psychology* (Hillsdale, H.J.: Lawrence Erlbaum Associates, 1985). In one article in this book, the authors look at many researchers' studies and conclude:

> That equity would emerge as the initial rule of justice and solution to the distribution problem is understandable in a society in which male is normative, most researchers are themselves male, and most subjects of research are male. ...
>
> One of the consequences of taking women seriously is that it frequently upsets conceptions of what is and what should be. ... There has now accumulated a large body of literature ... to suggest that women more frequently deviate from equity predictions than do men. Generally, the allocations behavior of women is more generous and less selfish than that of men, and it is frequently more in line with what would be predicted by justice as equality.

Arnold S. Kahn and William P. Gaeddert, "From Theory of Equity to Theories of Justice: The Liberating Consequences of Studying Women," *Women, Gender, and Social Psychology*, pp. 131-132.

> As we have listened for centuries to the voices of men and the theories of development that their experience informs, so we have come more recently to notice not only the silence of women but the difficulty in hearing what they say when they speak. Yet in the different voice of women lies the truth of an ethic of care, the tie between relationship and responsibility, and the origins of aggression in the failure of connection.[7]

Historically, a failure to appreciate the value of emotions for ethical conduct has pretty much accompanied a failure to hear women and to appreciate the value of women.[8] The following "logic" has held far too much sway: Reason is superior to emotions. Men are rational, women are emotional. Therefore, men are superior to women. Stated in negative terms: Emotion is inferior to reason. Women are emotional,

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See also, Peter N. Stearns, "Social History Update: Sociology of Emotion," 22 *Journal of Social History* (No. 3, 1989) 592 (briefly addressing the surge in the 1980's of research on the sociology of emotion and the relation of this research to work by social historians).

[7] Gilligan at p. 173.

[8] Radical feminists maintain that "existing reality is distorted by the way men present it, which is to glorify whatever has been defined as masculine and to disparage whatever has been defined as feminine." Alison M. Jaggar, *Feminist Politics and Human Nature* (Sussex: Harvester Press, 1983), pp. 250-251.

For an extended discussion of the distinction between liberal feminists and radical feminists, see generally Jaggar's book. As a quick distinction, liberal feminists accept male values and want them applied to women. For instance, they value equality and want it applied to women. Radical feminists, however, challenge male values; they want new values based on the women's culture that exists, in a denigrated form, within the the male culture. Jagger at pp. 27, 249-251.

This paper looks beyond liberal and radical feminism. This paper seeks a synthesis of traditional male and female values. Philosopher Georg W.F. Hegel's dialectic of advancing from thesis to antithesis to synthesis is, to this writer, an appealing concept. Gilligan, in fact, embraces synthesis in her last page of *In a Different Voice*. Speaking of the male ethic of justice, which is based on equality (the thesis), and the female ethic of care, which is based on nonviolence or the premise that "no one should be hurt" (the antithesis) Gilligan arrives at this synthesis: "In the representation of maturity, both perspectives converge in the realization that just as inequality adversely affects both parties in an unequal relationship, so too violence is destructive for everyone involved." Gilligan at p. 174.

Of course, it is not necessary for a feminist to don the tag of either a "liberal or radical" feminist. For instance, Mari J. Matsuda speaks merely of "feminist theory," which she says "encompasses a wide range of disciplines and points of view." In her article, "Liberal Jurisprudence and Abstracted Visions of Human Nature: A Feminist Critique of Rawls' Theory of Justice," 16 New Mexico Law Review 614 (Fall 1986), she says, "For purposes of this article, 'feminist theory' refers to the body of scholarly literature produced by self-identified feminists inquiring into the role of gender in shaping social relations, and searching for the path to a just world." This paper, likewise, uses the term "feminist theory" in the broad sense.

Undoubtedly one of feminists' major impacts has been in the field of literature study. "Submerged" works by women have been rediscovered, and "the practice of rereading through gender-conscious eyes has also initiated a wholesale reinterpretation of *all* literature...." Joseph A. Boone, "Feminist Criticism and the Study of Literature: What Difference Does Difference Make?" *Harvard Graduate Society Newsletter* (Spring 1988), p.1. Mass media is another area being scrutinized. *See, e.g.*, Matilda Butler and William Paisley, *Women and the Mass Media: Sourcebook for Research and Action* (New York: Human Sciences Press, 1980), and Casey Miller and Kate Swift, *The Handbook of Nonsexist Writing* (New York: Lippincott & Crowell, 1980).

men are rational. Therefore, women are inferior to men. This perverted logic has harmed women, but it has also damaged ethical theory. The value of emotion as an ethical force has been denigrated.[9]

The thesis of this paper is simple to state: **In ethical decision making, emotion can be superior to reason.** It is more complicated, of course, to explain this thesis.

If emotion is not reason's nemesis or even its handmaiden but its superior, then this will change the dynamics behind the view that women are more emotional than men. The charge of being emotional, in effect, will be transformed into a commendation.

Whether in fact women on the whole are more emotional than men and, if so, whether this is due to heredity or environment, are questions not explored in this paper. The historical portrayal of women as more emotional and of emotions as inferior to reason is the concern.[10]

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[9] The value of emotion, period, has been denigrated. In the late nineteenth century, when Freud was beginning his work, the "chief subject" in medical literature in Europe and England was "hysteria." Hysteria was a "woman's disorder," caused by "emotions rising from the womb." Jennifer L. Pierce, "The Relation Between Emotion Work and Hysteria: A Feminist Reinterpretation of Freud's Studies On Hysteria," *Women's Studies* (October 1988), p. 257. The term "hysteria" is derived from the Greek word for womb, "hyster." Sandra M. Gilbert, "A Tarantella of Theory," Introduction to Helen Cixious and Catherine Clement, *The Newly Born Woman*, trans. by Betsy Wing (Minneapolis: University of Minnesota Press, 1986), p. xiii.

That women do indeed have greater emotional intensity is the conclusion of a group of researchers in Illinois who set out to explain the paradox shown by other studies, namely, that "women experience more negative emotions than men," but that "women report as much overall happiness as do men." Frank Jurita, Ed Diener, and Ed Sandvik, "Gender Differences in Negative Affect and Well-Being: The Case for Emotional Intensity," 61 *Journal of Personality and Social Psychology* 427 (Sep. 1991) at p. 427. The researchers concluded, "The reason that women can be generally both more depressed and more happy than men is that they generally experience all emotions more vividly." *Id.* at 433.

Note that some researchers would not accept a simple dichotomy between emotions and rationality. "Recent theories in cognitive psychology allow us to understand that emotions are not especially irrational. Rather, they are important in the management of our goals and actions." Keith Oatley, "The Importance of Being Emotional," *New Scientist* (19 August 1989), p. 33.

The rejection of the dichotomy between emotion and rationality is emphasized by an author who is interested in social work. Roberta Wells Imre focuses on "caring" as an "underlying good in social work and in related human services." Roberta Wells Imre, Rationality with Feeling," 71 *Families in Society: The Journal of Contemporary Human Services* (Jan. 1990) 57 at p. 58. Imre says:

> The tendency to consider rationality and feeling as if they were two separate, essentially antagonistic categories is at the root of a great deal of confusion and misunderstanding in our society and in our professional activities. Perhaps the most notable example of this type of thinking is the penchant for seeing women as emotional and men as rational. This attitude is so thoroughly embedded in our culture that it can subtly entrap us without our awareness. Notwithstanding the gender connection, however, we tend to believe that we cannot be both rational and emotional at the same time. Such stereotypical thinking is a hindrance to an adequate understanding of much of our work.

Imre at 57.

[10] *See* Appendix A, "The Historical Portrayal of Women by Philosophers."

Scientists are providing an interesting note on the distinction between reason and emotion through brain mapping. While the cerebral cortex controls reasoning, emotions appear to be generated by the

A statement of premises should help avoid misunderstanding, as well as expose potential areas of disagreement.

Premise 1: Generally speaking, anything associated with an inferior is considered inferior.[11] If blacks are considered inferior, the *natural* characteristic of kinky hair is considered inferior. If American Indians are inferior, their *cultural* characteristics are considered inferior, whether those characteristics be living in teepees, or using peyote in religious ceremonies. Conversely, anything associated with a superior is considered superior, be it a natural or cultural characteristic. Thus, for instance, having blue eyes and blonde hair and listening to Wagner and reading Goethe are superior characteristics if one considers Aryans to be superior.

Premise 2: Historically, women have been considered inferior to men. Conversely, men have been considered superior to women. An historical search for leaders in government, religion, the arts, the sciences, or the professions will produce relatively few names of women. Are there few women because women are inferior, or because they have been considered so and thus have been virtually excluded from leadership roles, or because historical reports overlook them?[12]

Premise 3: Historically, being emotional, as opposed to being rational, is a characteristic that has been more strongly associated with women. Conversely, being rational, as opposed to being emotional, is a characteristic that has been more strongly associated with men. Imagine a character in a novel being so overcome with emotion that the character, in dated jargon, swoons. Is that character male or female?[13]

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amygdala, "a little knob-shaped organ no bigger than a chickpea," which lies deep in the interior of the brain next to the hippocampus. Sharon Begley, Lynda Wright, Vernon Church and Mary Hager, "Mapping the Brain," *Newsweek*, April 20, 1992, pp. 66-67.

[11] This, of course, is a descriptive and not a normative statement. Regardless of whether the world ought to work in such a manner, it does in fact work this way.

[12] *See, e.g.*, Joanna Russ, *How to Suppress Women's Writings* (Austin: University of Texas Press, 1983).

[13] John Stuart Mill addressed the problem of women fainting, saying:

> Much is ... the result of conscious or unconsicous cultivation; as we see by the almost total disappearance of 'hysterics' and fainting fits, since they have gone out of fashion. Moreover, when people are brought up, like many women of the higher classes ... [as] kind of hot-house plants, shielded from the wholesome vicissitudes of air and temperature, and untrained in any of the occupations and exercises which give stimulus and development to the circulatory and muscular system, while their nervous system, especially in its emotional department, is kept in unnaturally active play; it is no wonder if those of them who do not die of consumption, grow up with constitutions liable to derangement from slight causes, both internal and external, and without stamina to support any task, physical or mental, requiring continuity of effort. But women brought up to work for their livelihood show none of these morbid characteristics, unless indeed they are chained to an excess of sedentary work in confined and unhealthy rooms.

Mill, "The Subjection of Women," p. 498.

Imagine persons sitting at a table, logically tackling problems such as what provisions to include in a constitution. Are the persons male or female?

Premise 4: Historically, emotion has been generally considered inferior to reason. Conversely, reason has been generally considered superior to emotion. "That's not rational!" is a fairly common criticism. Have you ever heard anyone criticize a proposal by saying, "That's not emotional!"?

Whether emotion is considered inferior because it is associated with women or whether women are considered inferior because they are associated with emotion is a chicken-or-egg problem of little import. If emotion is considered inferior because it is associated with women or women are considered inferior because they are associated with emotion makes no difference to the premises that (1) generally speaking, anything associated with an inferior is considered inferior, or (2) historically, women have been considered inferior to men, or (3) historically, being emotional, as opposed to being rational, is a characteristic that has been more strongly associated with women, or (4) historically, emotion has been generally considered inferior to reason.

"Emotion," of course, is a broad term.

A "gut reaction" is an emotion. A gut reaction is sudden, honest, guileless. And then reason steps in, with its ability to rationalize as justifiable if not necessary the most damnable actions.

Gut reaction: "I should not go to war."

Rationalization: "I must obey my superiors." "I am pursuing a higher goal." "If I do not go, somebody else will." "What I do really will not make that much difference anyway."

Of course, a gut reaction can be wrong, just as reason can be wrong.[14] The gut reaction still remains

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[14] Robert C. Roberts agrees that an emotion can be wrong, or "morally repugnant" in itself. *See* Robert C. Roberts, "What Is Wrong with Wicked Feelings?" 28 *American Philosophical Quarterly* 13 (Jan. 1991). He says:

> The widespread notion among philosophers that feelings, contrary to popular intuition, are not the sort of thing that can be morally assessed, is false, premissed on an ill focussed (sic) concept of feeling. There are many kinds of feelings, and ones that go by such names as "envy," "pride," "resentment," "Schadenfreude,["] "contempt," "self-righteousness," "anger," and the like can certainly be morally assessed.

Roberts at p. 22.

George Turski analyzes the view that emotional reactions can be morally asessed. He considers the standard view to be that emotions "come over us pretty much like the weather" and that they are "not something which we ourselves initiate and hence can be held accountable for." George Turski, "Emotions and Responsibility," 35 *Philosophy Today* 137 (Summer 1991) at p. 138. Against that standard view he pits its polar opposite, Sartre's view, expressed in Sartre's *The Emotions: Outline of a Theory*. Emotions, to Sartre, are not "foreign" intruders but "intentional acts." Turski at pp. 140-141. Turski takes what could arguably be characterized as a middle ground on the question of whether we choose and thus are morally responsible for our emotions. He says, "The choice pertains in fact not to the emotion per se, but to the degree to which each of us wishes to reflect on it ... [I]t is upon this fundamental capacity to inform and sudden, honest, and guileless. For instance, the gut reaction to hit one's spouse or child is wrong. But what corrects that wrong gut reaction? Is it reason? Is it a categorical imperative or some formulation of utilitarianism? No. It is emotion that corrects the gut reaction—loathing, disgust, horror, and then shame at ever having had that gut reaction in the first place.

The baby wakes you for the tenth time that night, crying, and you have a hard day facing you. A gut reaction hits you to grab a pillow and cover up the face of that bawling disturbance, smothering the life out of it. What happens next?

(A) You reason that you could not will that smothering babies become a universal principle of human action, and, thus, out of duty, you forego smothering the baby.

(B) You reason that the greatest good would be achieved if you followed a rule of not harming babies, and thus, out of consideration for this greatest good, you forego smothering the baby.

(C) The emotion of horror at the very thought of killing your child takes over, and shame that you could even think such a dastardly thought. With the emotion of love, you pick up the baby in your tired arms.

Let's say now that your reason has been wrong. You have rationalized behavior that is morally unacceptable. Perhaps reason will then be self-correcting. But more than likely, it will be emotion that leads you back to the correct path. Say reason tells you that your boss will not miss that $500, that nobody will catch you, that your boss does not pay you enough in the first place so you actually deserve that $500, that in a just world where people were paid by their worth you would be given that $500, that you could do so much more good with the $500 than your boss could, and on and on. What stops you—reason? Does reason tell you, for instance, that under our system of economic rewards, you are not entitled to that $500, or does reason just keep repeating that our system of economic rewards is unjust? Or are you stopped by emotion—by a loathing of taking that to which society says you are not entitled?[15]

It is long overdue that human beings quit apologizing for experiencing emotion and quit trying to subdue it to bloodless reason.

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thereby shape our emotions by those deeper aspects of ourselves that any viable categorical notion of responsibility for emotions can be maintained." *Id.* at pp. 146-47. (For this author's criticism of Turski's view of "sympathy," see *supra* note 35.)

[15] In this example, assume fear of getting caught is not a factor because the chances of getting caught are too slim. Of course, fear is an emotion that contributes to correct behavior. Correct behavior based on fear, however, would not be considered *moral* behavior by many philosophers—correct, yes, but not moral, because moral behavior requires an intention to do good, not merely avoid punishment.

If mankind is different from animals, then that difference is surely based as much on emotion as on intellect.[16] The ability to love or hate is as important to the concept of being human as the ability to calculate. Arguably, the ability to love or hate is more important to the concept of being human in these days of calculators, sophisticated computers, and robotics.[17]

But if emotion is to be most effective as a force for moral decision making, then emotion must in some way be channeled. Just as moral reasoning can be refined and developed, emotion must be capable of being refined and developed—or else human beings are basically stuck with the emotional makeup with which they are born, or innately endowed, or however one prefers to word the concept of that moral element which a human being naturally possesses in contrast to the moral depth for which a human being must work.

How can emotion be developed, and how can it be used for making ethical decisions? A complicated methodology for moral development would be undesirable, and a trip to the Himalayas to study with a guru would be impractical for most people. Nor should ethical decisions be based on a complicated formula—a categorical imperative or utilitarian rule or any cumbersome maxim which only the most intrepid philosophers could follow.

In fact, a single concept can serve as both the principle for emotional development and for ethical decision making. That concept is empathy. Some philosophers employ its synonym, "sympathy." Through learning to empathize with other sentient creatures, human beings develop morally. The concept of empathizing should not be limited to empathizing with human beings alone because it is egocentric dogma that human beings are the only creatures on this planet capable of thought or emotion. Nor should one rule out the possibility of sentient life on other planets. In short, an ethical theory necessarily must be cosmic in scope. Through the use of empathy, moral decisions even on a cosmic level can be made.

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[16] That emotion and intellect do exist in animals is something any dog lover knows. This statement is not meant to exclude lovers of monkeys, horses, cats, or whatever other species provides companionship and joy.

One view of what separates a person from an animal is that a person is capable of asking, "Am I the kind of being I ought to be, or really want to be?" *See* George Turski, *supra* note 14 at p. 145.

[17] Keith Oatley argues that emotions, in fact, would be important for "general-purpose" robots. Stressing the importance of emotions in general, he says:

> We are ambivalent about our emotions. Sometimes they seem to make us think in a distorted way. To say that someone is being emotional is to be insulting. But on the other hand, we regard emotions as important to our humanity. To be without them would be less than human.

Keith Oatley, "The Importance of Being Emotional," *New Scientist* (Aug. 19, 1989) 33 at p. 33.

It is at this point that much of classical philosophy, when refined to fit emotion, becomes most useful. Plato takes on a new relevance: "Knowledge is virtue"[18] makes a new sort of sense when knowledge is no longer mere bloodless, passionless reason, but a knowledge gained through empathy. To know, in the sense of to empathize with, another's pain is a deterrent to inflicting pain. Rational knowledge by itself might well fall short of causing one to refrain from inflicting pain. But to empathize, say, not only with the pain of the person to be murdered but with the bereavement of the murdered person's family and friends, causes an emotional response—revulsion. This revulsion is not bloodless or passionless, but can literally sicken one. And it is this revulsion that must be overcome in order to murder. Revulsion, in short, is a powerful deterrent to wrong action. Intellectual distaste alone stirs only the most contemplative individuals.

On the positive side, empathy can create joy in doing acts which help others. Again, this is not passionless intellectual satisfaction but something that can move one to tears. Doing good, when one can feel the happiness it gives to others, is its own unique reward. It encompasses intellectual satisfaction, but far exceeds it. Perhaps that is why the concept of the heart as the center of emotions was developed long ago. The warmth from feeling the emotion of joy seems systemic. An intellectual thought of "that's good" is not in the same category as an emotional feeling of "that's good." No Richter scale has been devised to measure the systemic jolt, but anyone who has been washed with an emotional feeling, whether good or bad, knows the jolt that emotions can bring. The intellect, for the most part, is effete when compared to emotion. But if "to know" means "to feel" in the sense of "to empathize," then knowledge is power[19]—the power of emotions—and correct action, or virtue, will occur unless those powerful emotions are overcome.[20]

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[18] *See* Appendix A, note 1, and accompanying text.

[19] Francis Bacon, *Meditationes Sacrae* (1597).

[20] That correct emotions can be overcome is undoubtedly true. No infallible method of making mankind act ethically can be formulated unless the species undergoes radical change that, in effect, deprives it of its humanity. "To err is human." A successful ethics merely cuts down on the amount of error, just as a successful quality control program in a factory cuts down on the amount of flawed merchandise coming from it. In short, to eliminate human error would virtually require eliminating the species.

Note that a researcher on moral development who takes empathy seriously also thinks that too much empathy itself is a bad thing because, he maintains, it can lead to an inability to make ethical decisions. Robert Hogan says:

> Too much empathy ... is as bad as too little—one can be concerned with the needs, expectations, and welfare of others at the expense of one's own legitimate plans, goals, and aspirations. Therefore, empathy can lead to indecisiveness and a kind of morbid moral oversensitivity as well as tact, sympathy, and ultimate concern.

Robert Hogan, "Moral Development and Personality," ed. David J. DePalma and Jeanne M. Foley, *Moral Development: Current Theory and Research* (Hillsdale, N.J.: Lawrence Erlbaum Associates, 1975), p. 161.

The Aristotelian notion of practice as a key in developing virtue[21] also takes on a deeper meaning when practice is not only practice in doing a physical task, but also practice in empathizing. One does not just go to the well to practice drawing water; one goes to the well to contemplate the water's meaning for life. The water is not merely hoisted out of the ground. Instead, it is appreciated as that which quenches thirst, washes away impurity, sustains life. In adding empathy, ethics by rote becomes an ethics of passion. An ethics of habit becomes an ethics of commitment.

The philosopher Hume recognized the importance of passion, or emotion, to ethical actions. He railed against reason as a moving force for ethical actions: "Morals excite passions, and produce or prevent actions. Reason of itself is utterly impotent.... [R]eason is perfeclty inert, and can never either prevent or produce any action or affection."[22] Reason cannot be the source of the concepts of good and evil, Hume argues, because those concepts do influence our actions.[23] Instead, it is because of sentiment—our "moral sense"—that we can distinguish that which is good from that which is evil. As Hume succintly states, "Morality ... is more properly felt than judg'd of."[24] If an action is evil, we "feel" a "satisfaction" or "pleasure." On the other hand, if the action is evil, we "feel" an "uneasiness" or "pain." We do not consider an action to be virtuous "because it pleases." But because it does please us, "we in effect feel that it is virtuous."[25] For Hume, this sentiment transcends self-interest. Self interest, in a sense, transcends itself, for it forces us to seek community with others. Self interest forces mankind from the state of nature into society. "Common interest" gives rise to notions of justice, and "sympathy" enables us to feel displeasure

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Hogan does consider empathy to be measurable, and has produced an "empathy scale." On the positive side for empathy, he describes people who score high on the empathy scale as "tactful, sensitive to interpersonal cues, and socially acute," while those who score low seem "cold, tactless, and insensitive." *Id.* at 161.

Hogan conceptualizes "character structure" as having five "dimensions"—"moral knowledge, a dimension of moral judgment, socialization, empathy, and autonomy." *Id.* at 158.

[21] "[I]t is by doing just acts that the just man is produced, and by doing temperate acts the temperate man; without doing these no one would have even a prospect of becoming good." Aristotle, *Nicomachean Ethics*, p. 337. "[W]ith regard to virtue, ... it is not enough to know, but we must try to have and use it, or try any other way there may be of becoming good." *Id.*, p. 537.

[22] David Hume, *A Treatise of Human Nature*, ed., L.A. Selby-Biggs (Oxford: Clarendon Press, 1967) (originally published in 1888), pp. 457-58.

[23] *Id.* at 458-60.

[24] *Id.* at 470.

[25] *Id.* at 471.

from distant injustice.[26] Indeed, any action which we perceive to be "prejudicial to human society" creates in us this "uneasiness" which we call "vice."[27]

While "nature must furnish the materials, and give us some notion of moral distinctions," our "natural sentiments" can be expanded, Hume believed. Our "esteem for justice" can increase and solidify through education. Concern for reputation also helps solidify our respect of justice.[28] Hume, in short, relied on natural sentiments to lead toward actions which aid instead of prejudice society, which lead to order and beneficence, which propel us to move beyond our self-centered interests into a sympathetic (empathetic) world of universal concerns.

Kant's philosophy can also be viewed as extolling empathy. Besides the categorical imperative in its primary formulation,[29] Kant expounded a "practical imperative": "Act so that you treat humanity, whether in your own person or in that of another, always as an end and never as a means only."[30] In other words, respect people and do not *use* them. Treat them as ends, not means. Under this imperative, it is not respect for moral duty that is at the center of the ethical universe, but a passionate empathy with one's fellow human beings. It is a variation on the philosophy of the Christian golden rule—do unto others as you would have them do unto you. How, in fact, can people really know if they are treating a sentient being as a means or as an end unless they can, in effect, step outside themselves through empathy, judging their actions through their perceptions of the effects on that other sentient being?

People judge their actions by how they perceive another creature will respond—in short, they figuratively step outside themselves by means of the moral imagination. The concept of "imagination" retains its common meaning. The Oxford English Dictionary defines it as "[t]he action of imagining, or forming a mental concept of what is not actually present to the senses...." That is good enough. Again, what is needed is an ethics that is readily understandable, not a mysterious mesh of uncommon usage and jargon.[31]

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[26] *Id.* at pp. 485, 490-91, 499-200.

[27] *Id.* at 499.

[28] *Id.* at 500-501.

[29] *See supra* note 4 and accompanying text.

[30] Kant, *Foundations of the Metaphysics of Morals*, p. 47.

[31] The need for simplicity in ethics is expressed even by Kant, whose philosophy is often regarded as simplicity's antithesis. Kant says, "[T]he moral law commands the most unhesitating obedience from everyone; consequently, the decision as to what is to be done in accordance with it must not be so difficult that even the commonest and most unpracticed understanding without any worldly prudence should go wrong in making it." Kant, *Critique of Practical Reason*, p. 38.

The moral imagination can be used to achieve another goal besides empathizing in particular situations. It can also be used to synthesize one's past experiences and thus transport one, figuratively, to higher levels of ethical awareness, or higher moral experiences. Call it a mystical experience, perhaps, or simply call it moral growth.[32]

From these higher moral experiences, or perhaps one might prefer to say deeper moral experiences, the imagination can extrapolate concepts. To use ethical imagination to extrapolate concepts from ethical experience is to take a quantum leap in ethical understanding. It is very much like the "aha!" experience when, say, one has suddenly grasped a mathematical concept—"Oh, yes, I see. But of course. It makes sense to me now!" Probably everyone has had the "aha!" experience. If someone has not, then another can no more explain it to him or her than adequately explain the scent of a gardenia. But one knows when one has experienced it, and, likewise, one knows when one experiences ethical insight. One must simply trust his or her ability to have and then recognize these insights produced by ethical imagination. The imagination is a faculty that grows stronger with use.

Can an ethics of using moral imagination to empathize with others and to progress in moral depth also be an ethics through which reasonable people can reach agreement on what constitutes correct conduct? Yes, and more easily than going through the perambulations and rationalizations of reason. Reason often runs into difficulties, as Kant's antinomies showed.[33] Further, a change or two in premises can result in radically differing but internally logical systems, as Euclidean and nonEuclidian geometry and the "Potter Box"[34] demonstrate. Emotion can prevail when reason is stymied. C.L. Stevenson, an emotivist, said:

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[32] *See* Appendix B, "Kantian Foundations of the Moral Imagination."

[33] In ethics, Kant presents and resolves the "apparent antinomy," or self-contradiction, of "the concept of a duty to oneself." Kant, *The Metaphysical Principles of Virtue*, p. 77. Kant solves this antinomy by saying:

> [W]hen he is considered as a being endowed with internal freedom..., he is liable to obligation and, indeed, can be obligated to himself (as to humanity in his own person). Accordingly, man (considered in this twofold sense) can acknowledge a duty to himself without falling into self-contradiction (because the concept of man is not thought of in only one sense).

Id., pp. 78-79. For the antinomies in Kant's metaphysics, see Immanuel Kant, *The Critique of Pure Reason*, unabridged ed., trans. by Norman Kemp Smith (New York: St. Martin's Press, 1965) pp. 328, 386-484. An example of an antinomy is: "Thesis: The world has a beginning in time, and is also limited as regards space" and "Antithesis: The world has no beginning, and limits in space; it is infinite as regards both time and space." *Id.*, p. 396.

[34] Ralph Potter formulated the "Potter Box," which is composed of four quadrants which one can conceive of as a circle. The four quadrants are "Definition" of the ethical situation, "Values," "Principles," and "Loyalties." In examining an ethical situation, one may focus on any one of the quadrants. "The matter of choosing loyalties usually needs the closest scrutiny." Clifford Christian, Kim Rotzoll, and Mark Fackler, *Media Ethics: Cases and Moral Reasoning*, 2d ed. (New York: Longman, 1987), pp. 3-4. Christian *et al.*

> When ethical disagreement is not rooted in disagreement in belief, is there *any* method by which it may be settled? If one means by "method" a *rational* method, then there is no method. But in any case there is a "way." ... A, for instance, may try to *change* the temperament of his opponent. He may pour out his enthusiasms in such a moving way—present the sufferings of the poor with such appeal—that he will lead his opponent to see life through different eyes. He may build up, by the contagion of his feelings, an influence which will modify B's temperament, and create in him a sympathy for the poor which didn't previously exist. This is often the only way to obtain ethical agreement, if there is any way at all. It is persuasive, not empirical or rational; but that is no reason for neglecting it. There is no reason to scorn it, either, for it is only by such means that our personalities are able to grow, through our contact with others.[35]

John Stuart Mill said: "He who would rightly appreciate the worth of personal independence as an element of happiness, should consider the value he himself puts upon it as an ingredient of his own."[36] Mill continues:

> Let any man call to mind what he himself felt on emerging from boyhood—from the tutelage and control of even loved and affectionate elders—and entering upon the responsibilities of manhood. Was it not like the physical effect of taking off a heavy weight, or releasing him from obstructive, even if not otherwise painful, bonds? Did he not feel twice as much alive,

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present a situation where one paper decides not to print the names of victims who died in a fire in a "gay theater" to protect the victims' survivors, but another paper decides to print the names because to withhold such information would be immoral. *Id*., pp. 2-4. After using the Potter Box, Christian *et al*. conclude:

> [B]oth papers made a morally defensible decision. Both modes of argument are consistent and coherent. In this particular case, either choice can be made with integrity and defended. Both aim toward a good widely held in our society, though these goods are defined differently. ... The Potter Box process does allow competing goods to stand. These conflicts can then be addressed by appealing to ultimate values, metaphysics, or theology.

Id., pp. 6-7. In short, the Potter Box offers no ethical resolution.

[35] C.L. Stevenson, "The Emotive Meaning of Ethical Terms," *Mind* (1937), republished in W. Sellars & J. Hospers, *Readings in Ethical Theory* (New York: Appleton-Century-Crofts, 1952), p. 415.

While the notion of reaching agreement in important in Stevenson's emotivism, the concept of "sympathy," which is synonymous with "empathy," is arguably even more important. While Merrill and Odell do mention agreement reaching in emotivism, they do not mention empathy. John C. Merrill and S. Jack Odell, *Philosophy and Journalism* (New York: Longman, 1983), pp. 92-93.

In using the concept of sympathy or empathy, emotivism clearly distinguishes itself from self-centered, egoistic philosophy. Emotivism, as this author views it, is a philosophy of "care," to use Gilligan's term. On Gilligan and "care," see *supra* notes 5-7 and accompanying text.

Clearly, upon Stevenson's view, the capability of sympathizing is one which is, at least to no small extent, under our control. That is, we can develop the ability to sympathize or empathize, and we can help develop that ability in others. This view allows us to develop the capacity to care.

Turski's view on sympathy seems wrong. He appears to consider sympathy to be something that necessarily happens to us, because we could not bear voluntarily to choose it. He says, "We could not experience sympathy and moral caring, for example, were the pain and sense of loss of grieving persons willfully chosen states. To think so would be a height of intellectualistic self-deception that, in denying our conditions of fragility and contingency, would actually falsify human reality itself." Turski, *supra* note 14 at p. 145. But this view denies to human beings the ability or the strength to develop what he calls "sympathy and moral caring," arguably the most critical factors for moral action."

[36] *Id*., pp. 542.

> twice as much a human being, as before? And does he imagine that women have none of these feelings?[37]

We must not deplete our ethical arsenal of the power of emotion. Too much faith in reason is unreasonable.

Emotion, Ethics and Journalists

For journalists, legal questions are often easy, ethical questions, hard. The law may give broad leeway within which a journalist can act legally but also ethically or unethically. When no legal remedies exist to stifle journalists' behavior, then they need not be concerned with legal retribution.[38] Restraint will come, if at all, through ethics.[39]

For instance, "newsworthiness" gives journalists a broad defense against invasion of privacy suits. The *Restatement (Second) of Torts*, in defining "news," points to the power of journalists: "Included within the scope of legitimate public concern are matters of the kind customarily regarded as 'news.' To a considerable extent, in accordance with the mores of the community, the publishers and broadcasters have themselves defined the term, as a glance at any morning paper will confirm."[40] The *Restatement* gives a broad list with a catch-all phrase:

> Authorized publicity includes publications concerning homicide and other crimes, arrests, police raids, suicides, marriages and divorces, accidents, fires, catastrophes of nature, a death from the use of narcotics, a rare disease, the birth of a child to a twelve-year-old girl, the reappearance of one supposed to have been murdered years ago, a report to the police concerning the escape of a wild animal and many other similar matters of genuine, even if more or less deplorable, popular appeal.[41]

But the *Restatement* also says:

> One who gives publicity to a matter concerning the private life of another is subject to liability to the other for invasion of his privacy, if the matter publicized is of a kind that
> (a) would be highly offensive to a reasonable person, and

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[37] *Id.*, pp. 543.

[38] In 1972, under the heading, "*Ingredients Now Exist for Judicial Ruling To Prevent Publication of Ghastly Photos*," one author asked questions and posed answers:

> Under existing legal rules and current thinking, can the judiciary find ways to restrain the press[?] Answer: Yes.
> Will changes come about? Answer: Very likely.
> When? Answer: Sooner than most in the media think.

Niel Plummer, "The Publication of Ghastly Photographs," 13 *Grassroots Editor*, 38, 38 (March-April 1972). This prediction of judicial prevention has not come true.

[39] Actions, to be ethical, must not be motivated by solely by fear of punishment. To do what one should because of the whip poised at one's back results in legal, but not moral, behavior.

[40] *Restatement (Second) of Torts* § 652D, Comment g (1977).

[41] *Id.*

(b) is not of legitimate concern to the public.[42]

In a "Comment on Clause (b)," the *Restatement* says, "When the matter to which publicity is given is true, it is not enough that the publicity would be highly offensive to a reasonable person. ... When the subject-matter of the publicity is of legitimate public concern, there is no invasion of privacy."[43]

What is of "legitimate public concern"? Consider a 1940 case that dealt with this question, *Sidis v. F-R Publishing Corporation.*[44] Sidis, a mathematical prodigy, had given lectures to mathematicians when he was 11 and graduated from Harvard at 16. Over 20 years later, the *New Yorker* magazine ran a "Where Are They Now?" feature story about him. He was living in what the magazine descrized as a "hall bedroom of Boston's shabby south end," he had a routine clerical job, and he studied the history of Okamakammessett Indians. Sidis sued for invasion of privacy, but lost. The Second Circuit Court of Appeals described the article as "merciless in its dissection of intimate details" of Sidis' "personal life."[45] But the Court reasoned that Sidis was once a public figure. Since he was a child prodigy, great things were expected of him. The Court said, "Since then Sidis has cloaked himself in obscurity, but his subsequent history, containing as it did the answer to the question of whether or not he had fulfilled his early promise, was still a matter of public concern." The Court, in short, said that what became of Sidis was newsworthy.[46]

Famed legal scholar William Prosser wrote in a law review article that the piece in the *New Yorker* had a "devastating" effect on Sidis and "unquestionably contributed to his early death."[47]

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[42] *Restatement (Second) of Torts* § 652D.

[43] *Restatement (Second) of Torts*, § 652D, Comment on Clause (b). The *Restatement*, in a "Special Note on Relation of § 652D to the First Amendment to the Constitution," cites Cox Broadcasting Co. v. Cohn, 420 U.S. 469 (1975), 1 Med. L. Rptr. 1819. *Cox* , which cited § 652D of the *Restatement*, upheld broadcasting a rape victim's name. The Supreme Court concluded, "At the very least, the First and Fourteenth Amendments will not allow exposing the press to liability for truthfully publishing information released to the public in official court records." 420 U.S. at 496, 1 Med. L. Rptr. at 1829. In Florida Star v. B.J.F., 109 S.Ct. 2603 (1989), the Supreme Court extended this nonliability rule to publication of a sexual assault victim's name contained in a police report.

In an article on reporting about victims of sex crimes, an author quotes Michael Gothberg, editor of the *Belleville Journal*: "'I think we need to stop ourselves and say, how would I feel if this were me and I just picked up the paper and read this,' Gothman said. 'We need to have empathy for the victims. We should try to put ourselves in the victim's position." Kelly Paul, "The Ethical Dilemma: When Should a Public's Right to Know Supercede a Victim's Right to Privacy?" *Illinois Publisher* 14, 15 (Winter 1988).

[44] 113 F.2d 806 (2d Cir. 1940), 1 Med. L. Rptr. 1775.

[45] 113 F.2d at 807, 1 Med. L. Rptr. at 1775-76.

[46] 113 F.2d at 809, 1 Med. L. Rptr. at 1777.

[47] W. Prosser, "Privacy", 48 *Cal. L. Rev.* 383, 397 (1960).

Photographs have caused the most controversy because they are graphic and can be so much more powerful than words.[48]

In the 1920's, a woman named Ruth Synder was electrocuted in Sing Sing. Her execution made news nationwide. On the day before her execution, a Chicago newspaper, the *Graphic*, said:

> Don't fail to read tomorrow's *Graphic*. An installment that thrills and stuns. A story that fairly pierces the heart and reveals Ruth Snyder's last thoughts on earth; that pulses the blood as it discloses her final letters. Think of it! A woman's final thoughts just before she is clutched in the deadly snare that sears and burns and FRIES AND KILLS! Her very last words! Exclusively in tomorrow's *Graphic*.[49]

The *Graphic*, however, was outdone by a *New York Daily News* reporter who smuggled into the execution chamber a tiny camera that was strapped to his leg. The front-page picture of Snyder straining at the leather straps of the electric chair sold an extra 250,000 copies of the paper.[50] No suits resulted.

In *Waters v. Fleetwood*,[51] a 1956 Georgia case, a newspaper printed close-range photographs of a murdered 14-year-old girl's body after it was pulled from a river. The decomposing body was wrapped in chains; the photographs, taken from behind the body, did not show facial features. The newspaper displayed copies of the photographs in its business office and even advertised and sold copies of the photographs to individuals. The parents brought an invasion of pravicy suit over the sale of photographs to individuals.[52] The "same rule" must apply to the sale of the photographs as to their publication in the newspaper, the Georgia Suporeme Court said. In ruling against the parents, the Court said that the crime, at least until authorities apprehended the murderer, was a matter of "widespread public interest." In short, it was a newsworthy event, and "dissemination of information" concerning it was not an invasion of privacy.[53]

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[48] According to one survey, the greatest danger photojournalists face is physical assault, not lawsuits, with over one third of print photojournalists and over one half of television news photographers reporting assaults. Michael Scherer, "A Survey of Photojournalists and Their Encounters with the Law," 64 *Journalism Quarterly* 499, 502 n.18 (Summer-Autumn 1987). Only 1.9 per cent of responding photojournalists had been involved in a suit for invasion of privacy. An identical percentage (1.9) reported being involved in suits for libel and copyright infringement, and 1.3 were involved in suits for infliction of emotional distress. But 38.6 reported being threatened with a lawsuit. *Id.*, p. 501.

[49] Hughes, *News and the Human Interest Story* (Chicago: University of Chicago Sociological Series, 1940), p. 235.

[50] Donald Gillmor, Jerome Barron, Todd Simon, & Herbert Terry, *Mass Communications Law: Cases and Comments*, 5th ed. (New York: West 1990), p. 401. For a copy of Tom Howard's picture of Ruth Snyder's electrocution, see Bill Grant, "The Pictured Page," *Nieman Reports*, 52, 52 (Summer 1980). For an article on covering executions, see Andrew Radolf, "Executions: There Are a Handful of Journalists Around the Country Whose Job It Is to Witness Executions; Here TheyTell What It's Like," 122 *Editor & Publisher* 21 (April 22, 1989).

The losing suit by San Francisco television station KQED to televise the execution of Robert Alton Harris stirred ethical controversy. *See, e.g.*, Jill Smolowe, "The Ultimate Horror Show: A Court Hearing Pits First Amendment Rights Against the Fear of an Electronic Return to the Rite of Public Execution," *Time* 59 (June 3, 1991).

[51] 91 S.E.2d 344 (Ga. 1956).

[52] *Id.* at 344-45, 348.

The case of *Florida Publishing Co. v Fletcher*[54] started when a fire of undetermined origin burned a home and the body of 17-year-old Cindy Fletcher. When the Fire Marshal and police investigated, they invited reporters, as was the usual practice. The authorities removed Cindy's body from the floor, but a "silhouette" remained, suggesting the body lay on the floor before the fire started and protected the area from heat that charred the rest of the room. The Fire Marshal had only one shot left in his Polaroid camera, and he got a fuzzy picture of the silhouette. So he asked a newspaper photographer to take pictures.[55]

Cindy Fletcher's mother did not know about the suspicious nature of her daughter's death until she read the newspaper and saw the pictures it published. She sued for intentional infliction of emotional distress, trespass and invasion of privacy.[56]

The Florida Supreme Court ruled there was no trespass because there was "implied consent" based on common custom of reporters accompanying officials into homes when a crime or tragedy has occurred. "The fire was a disaster of great public interest," the court pointed out, and the photographers were there at the request of the fire marshal and police. Without trespass, the court would allow the mother no recovery for damages.[57]

In another Florida case, *Cape Publications v. Bridges*,[58] a hostage situation led to the publication of a controversial photograph. A Florida woman had separated from her husband. Her estranged husband abducted her at gunpoint from her work place and took her to their former apartment, which the police soon surrounded. The man forced the woman to undress to try to discourage her from escaping. Then he shot himself. The police stormed the apartment and rushed her out to safety across a public parking lot. She held a dishtowel in front of her.[59]

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[53] *Id*. at 348.

[54] 340 So. 2d 914 (Fla. 1976), *cert. denied*, 431 U.S. 930 (1977), 2 Med. L. Rptr. 1089.

[55] 340 So.2d at 915-16, 2 Med. L. Rptr. at 1089.

[56] 340 So. 2d at 916, 2 Med. L. Rptr. at 1089-90.

[57] 340 So. 2d at 916-19, 2 Med. L. Rptr. at 1090-92.

[58] 423 So. 2d 426 (Fla. Dist. Ct. App. 1982), 8 Med. L. Rptr. 2535.

A photograph of her escape was published in a local Florida newspaper. She sued for invasion of privacy, and the incensed trial jury awarded her $1,000 actual damages and $9,000 punitive damages. But on appeal, she lost. According to the appellate decision, the photograph revealed "somewhat less than some bathing suits seen on the beaches." (Could the white tan marks from her bikini seen in the photograph have played a part in this decision?) "The published photograph is more a depiction of grief, fright, emotional tension and flight than it is an appeal to other sensual appetites." To publish a picture of one involved in a matter of "public interest" cannot be an invasion of privacy, the court concluded. Not does it meet the "outrageousness" standard for intentional infliction of emotional distress: "Just because the story and the photograph may be embarrassing or distressful ... does not mean the newspaper cannot publish what is otherwise newsworthy."[60]

The law is using passionless rationalism. The logic is as easy to apply as it is cold-blooded: If a picture is newsworthy, it is not an invasion of privacy. This picture is newsworthy. Therefore, this picture cannot be an invasion of privacy. The syllogism is logically flawless—but it is ethically flawed. What is newsworthy? Almost anything that catches the public interest.

"Newsworthiness" as a defense may have some limits. The rule is this: "Revelations may be so intimate and so unwarranted in view of the victim's position as to outrage the community's notions of decency."[61] This was the rule laid down in the child-prodigy case, the *Sidis* case. But the rule did not protect him.[62] It was impossible for the rule, with its emotive content of "outrage," to overcome the rationalistic maxim, "newsworthy, therefore not invasive of privacy."

In a 1942 Missouri case, *Barber v. Time*,[63] the court did find an invasion of privacy. While she was protesting to a reporter that she wanted no publicity, a photographer took a picture of Mrs. Barber while she was in a Kansas City hospital. She suffered from a disease that made her body inefficient in processing food. The story, published in *Time* magazine under the title "Starving Glutton," said her doctor "found that although she had eaten enough in the past year to feed a family of ten, she had lost 25 pounds." The caption under her picture said, "Insatiable-Eater Barber; She Eats for Ten." This appeared on Time's "Medicine" page, which gave medical news to the public in lay terminology.[64] But, the Court pointed out, publishing of her name and address was unnecessary.[65]

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[59] 423 So. 2d at 427, 8 Med. L. Rptr. at 2535.

[60] 423 So. 2d at 427-28, 8 Med. L. Rptr. at 2535-36.

[61] Sidis v. F-R Publishing Corp., 113 F.2d at 809, 1 Med. L. Rptr. at 1777.

[62] *See supra* notes 44-47 and accompanying text. The Supreme Court quoted the *Sidis* rule in Time, Inc. v. Hill, 385 U.S. 374, 383 n.7 (1966).

[63] 159 S.W.2d 291 (Mo. 1942), 1 Med. L. Rptr. 1779.

However, a 1985 Oregon case, *Anderson v. Fisher Broadcasting Company*,[66] virtually rejected the view that a plaintiff could overcome a "newsworthiness" defense. The *Anderson* case stemmed from a television station using footage of an automobile accident victim, bleeding and in pain, as he received emergency medical treatment. The footage was used not in a news cast, but in an advertisement for an upcoming special report on dispatching emergency help. Anderson sued for invasion of privacy, arguing that the pictures were not newsworthy and that their use was "offensive to a reasonable person."[67] The Court said views of "offensiveness" differ too much for a community standard to exist. The Court then used the following arguments to reject the claim of invasion of privacy: "If the tort [of invasion of privacy] is designed to protect a plaintiff's interest in nondisclosure only against widespread publicity, ... it singles out the print, film, and broadcast media for legal restraints that will not be applied to gossipmongers in neighborhood taverns or card parties, to letter writers or telephone tattlers."[68] In short, the Court did not want a restriction on newsmen that did not apply to town gossips. The Court also seemed to argue that sensitivity to having one's picture used is pagan:

> Sensitivity about reproduction of one's likeness is not a 19th century refinement of western civilization, as is sometimes supposed; many cultures have feared the magical power conferred by possession of a person's image. The settlers who brougt the common law to the Oregon Territory could find that this sensitivity preceded their arrival. Northwest native people such as the Chinook, according to Herbert Spencer, "if photographed, 'fancied that their spirit thus passed into the keeping of others, who could torment it at pleasure.'"[69]

And the Court also argued, "[T]he difference between undesired publicity by word or by picture seems to concern only the degree of the subject's psychic discomfort...." Yet, in apparent contradiction to its view that words differ from pictures only by degree, the Court also said: "Doubtless in many instances a picture not only is worth a thousand words to a publisher but words would be nothing at all. Some filmed or broadcast scenes compare to verbal reports in dramatic impact about as hearing music compares to reading a score, and the emotional reaction of the person who is depicted rather than described may likewise be greater."[70] But the Court did not take emotional reactions seriously. In ruling against Anderson, the Court cited a survey of the law written in 1979 which said that since 1967, no plaintiff in any reported cases had won a suit for a "truthful disclosure" by the press, and thus the "very existence" of invasion of privacy as a cause of action "is in doubt."[71]

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[64] 159 S.W.2d at 293, 295-96, 1 Med. L. Rptr. at 1780, 1782-83.

[65] 159 S.W.2d at 295, 1 Med. L. Rptr. at 1783.

[66] 712 P.2d 803, 12 Media L. Rptr. 1604 (In Banc 1985).

[67] 712 P.2d at 804, 12 Media L. Rptr. at 1604.

[68] 712 P.2d at 809, 12 Media L. Rptr. at 1608-09.

[69] 712 P.2d at 810, 12 Media L. Rptr. at 1609 (citing 1 Spencer, *Principles of Sociology*, 245, 311 (1898)).

In 1992, the United States Supreme Court refused to review a Kentucky court's dismissal of a privacy suit brought by the family of a shooting-spree victim whose body was pictured on the front page of the *Louisville Courier-Journal*.[72]

Questions of ethics, at least, certainly do persist and are receiving serious attention from journalists, politicians, and the public.[73] Many newspaper, magazine, and journal articles have explored ethics relating to photography.[74] Seminars in this country have considered this and other ethical issues relating to privacy and the press.[75] In Britain, although the House of Commons failed to pass legislation giving individuals protection from intrusive reporters,[76] the British press adopted a code of ethics. Among other things, the code requires that public interest justify intrusion into private lives and it provides opportunity to reply.[77]

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[70] 712 P.2d at 810-11, 12 Media L. Rptr. at 1610.

[71] 712 P.2d at 809-10, 12 Media L. Rptr. at 1609 (citing Dorsey Ellis, Jr., "Damages and the Privacy Tort: Sketching a Legal Profile," 64 *Iowa L. Rev.* 1111, 1133 (1979)).

The New York State Supreme Court dismissed a $4 million lawsuit for invasion of privacy brought by Maria Oliver over pictures of her and her monkey. She suffered from amyotrophic lateral sclerosis (Lou Gehrig's disease), and her monkey was trained to perform tasks for her. The *National Enquirer* ran the photos along with photos featuring other monkeys engaged in monkey business. The court found the pictures to be of general interest. *See* "No Invasion — Judge Dismisses National Examiner Monkey Photo Case," 44 *News Photographer* 23 (Nov. 1989).

[72] *Barger v. Courier*, 112 S.Ct. 1763 (1992). Pressman Barger died in September, 1989, when a former employee of the Standard Gravure Corporation in Louisville, Kentucky, entered the printing plant and started firing an AK-47 assault rifle. Ronald Smothers, "Survivors of Shooting and Gunman's Relatives Ponder Sad Riddles," *The New York Times*, Sep. 17, 1989, Part 1, p. 34.

In another recent case, plaintiffs lost their invasion of privacy claim, but won the right to sue for "outrage." The parents of a 6-six-year-old murder victim recovered for the tort of "outrage" when an Orlando television station ran footage of their daughter's skull. *Armstrong v. H & C Communications, Inc.*, 575 So. 2d 280 (Fla. App. 1991), 18 Med. L. Rptr. 1845. A married couple won the right to sue for invasion of privacy when a St. Louis station ran footage of the wife, who was pregnant with triplets as a result of in vitro fertilization. *Y.G. v. Jewish Hospital*, 795 S.W.2d 488 (Mo. App. 1990). The parents attended a party thrown by a hospital for successful couples of its in vitro fertilization. The mother refused interviews while there and claims she received assurences that she would receive no publicity. *Id.* at 501. Both the Florida and Missouri cases were remanded for trial.

[73] As a sampling of journal articles written about ethics in journalism, see, e.g., Sandra H. Dickson, "The 'Golden Mean' in Journalism," 3 *Journal of Mass Media Ethics* 33 (1988); Deni Elliot, "All Is Not Relative: Essential Shared Values and the Press," 3 *Journal of Mass Media Ethics* 28 (1988); Philip Meyer, "An Ethic for the Information Age," *Social Responsibility: Business, Journalism, Law, Medicine* 17 (1990); Catherine A. Pratt and Terry Lynn Rentner, "What's Really Being Taught About Ethical Behavior," XV *Public Relations Review* 53 (Spring 1989); and Michael W. Singletary, Susan Caudill, Edward Caudill, and Allen White, "Motives for Ethical Decision-Making," 67 *Journalism Quarterly* 964 (Winter 1990).

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[74] *See, e.g.*, Richard P. Cunningham, "An Unseemly Fascination with Death and Grief," 78 *Quill* 10 (July/August 1990); Laurence Zuckerman and Leslie Whitaker, "Knocking on Death's Door: In Covering Tragedies, Do Journalists Go Too Far?" *Time*, Feb. 27, 1989, p. 49 (78 per cent of people polled by the American Society of Newspaper Editors thought journalists do not "worry much about hurting people"); George Padgett, "Let Grief Be a Private Affair," 76 *Quill* 13 (Feb. 1988); Jennifer Brown, "News Photographs and the Pornography of Grief," 2 *Journal of Mass Media Ethics* 75 (Spring/Summer 1987); Art Fredrickson, "Publishing Grisly Photos—A Difficult Dilemma for Editors," 120 *Editor and Publisher* 9 (Feb. 14, 1987); Jan Costello, "Exploiting Grief: Restraint & The Right to Know," *Commonweal*, June 6, 1986, p. 327; Gail Marion and Ralph Izard, "The Journalist in Life-Saving Situations: Detached Observer or Good Samaritan?" 1 *Journal of Mass Media Ethics* 61 (Spring/Summer 1986); Charles Gordon, "The Preoccupation with Tears," *Maclean's*, July 22, 1985, p. 7. On a lighter note, see Kevin Catalano, "Photograph Captures Spirit of Negative Campaigning," 122 *Editor and Publisher* 140 (April 22, 1989) (featuring a photograph of a politician holding up his middle finger), and David Johns, "All about boo-boos: Is It Ethical to Photograph Embarrassing Moments? Is Prominence Enough Justification?" 39 *News Photographer* 7 (July 1984).

News Photographer regularly explores ethical questions concerning pictures of death. *See, e.g.*, these *News Photographer* articles: Holly Mullen, "Murderer's Life Snuffed; They Can Put Out the Light" (Sep. 1990, p. 16) (photograph of Ted Bundy's body); "Witnessing the Reality" (May, 1990, p. 30) (photograph of baby killed in fire in Rhode Island); Robert Walker, "The Montreal Massacre" (April 1990, p. 28) (photograph of dead girl's body shot through a gap in a curtain at a cafeteria at the University de Montreal).

[75] E.g., the Poynter Institute for Media Studies in St. Petersburg, Fla., and Western Michigan University's Center for the Study of Ethics in Society and Department of Communication held conferences on media ethics. *See* 3 *Media Ethics Update* 2 (Spring 1991). The Washington Journalism Center, Washington, D.C., sponsored a conference for journalists on "Journalism Ethics, Honoraria, and Other Issues." For an edited version of the conference's opening session, see "Journalism Ethics: What's Gone Wrong?" XLIV *Nieman Reports* 9 (Summer 1990). The First Amendment Congress, an "umbrella organization" for media groups, considered ethical issues in Washington, D.C. Karen Ball, "Media, public at odds over reporting vs. right to privacy," *Columbia* (Mo.) *Daily Tribune*, Oct. 19, 1989, p. 11. The Journalism Ethics Workshop held at the University of Missouri School of Journalism in October 1989 and May 1991 covered a broad range of ethical issues, including use of photographs. For a listing of topics covered by the 14th Annual Institute on the Ethics of Journalism held at Washington & Lee University in March 1988, see Tom Prentice, "Ethics in Journalism Issue of the Day at W & L," 75 *Virginia's Press* 4 (April 11, 1988).

[76] "Protection from tabloids nixed," *Columbia Daily Tribune*, Jan. 29, 1989, p. 6.

[77] "British press adopts ethic code," *Columbia Daily Tribune*, Nov. 28, 1989, p. 8. Whether a code of ethics affects journalists' behavior is another matter. One study of this question concluded, "If there is a link between the content of newspaper ethics codes and the behavior of journalists faced with ethical decisions, the link is almost certainly indirect and mediated by a wide variety of other factors." David Pritchard and Madelyn Peroni Morgan, "Impact of Ethics Codes on Judgments by Journalists: A Natural Experiment," *Journalism Quarterly* (Winter 1989), pp. 934, 941.

Pictures of a teenage boy from New York whose face had been impailed on the spike of a fence raised controversy in the summer of 1989.[78] The boy did survive, as a later photograph showed.[79]

A photo printed on the front page of the Louisville *Courier-Journal* showed a dead man sprawled on the floor of a printing company after a disgruntled former employee killed eight people with an AK-47 military assault rifle. The newspaper received over 500 complaints.[80] A photo first published in a California newspaper that showed the agony of a drowned boy's family as it gathered by his body likewise provoked over 500 calls and a bomb threat.[81]

The *Boston Herald* ran a front-page photograph of Carol Stuart that showed the fatal gunshot wound to her face. The picture also showed her husband, who had been shot in the abdomen and who blamed the shootings on an assailant. The newspaper received 787 phone calls about the Stuart picture—152 in support and the rest in outrage. The newspaper's editor said he decided to run the picture to emphasize Boston's mounting violence.[82]

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[78] "Boy, 15, Impaled on Fence," *Columbia Missourian*, July 10, 1989, p. 2A. Following publication of the photograph, the paper's Managing Editor wrote a column in which he quoted an Associated Press representative as saying that few newspapers reported they used the picture. Ben Johnson, "Controversy over Graphic Photos: Cloudy Issues Result in Dilemma Over Rules," *Columbia Missourian*, July 16, 1989, p. 6B.

[79] "Boy Who Was Impaled Talking Again," *Columbia* (Mo.) *Daily Tribune*, July 18, 1989, p.3. The *Columbia Daily Tribune* had also published the original picture. "Boy Hospitalized After Being Impaled on Fence," *Columbia Daily Tribune*, July 10, 1989, p. 5.

[80] Robin Hughes, "'A Photo that Had to Be Used': Anatomy of a Newspaper's Decision," *FineLine: The Newsletter on Journalism Ethics*, October 1989, p. 3.

[81] The Reporters Committee for Freedom of the Press, "Photographer's Guide to Privacy," *News Media & the Law* (Summer 1988), p. 2. This 16-page article includes listings of case law on invasion of privacy by photographers and cameramen for 39 states; 11 states, according to the article, had no such case law. *Id.*, p. 6.

An article in the *Miami Herald* said this about the aftermath of publication of the picture of the drowned boy in the Bakersfield, California, newspaper: "After 400 phone calls, 500 letters and 80 canceled subscriptions, the paper's editor apologized: 'We make mistakes—and this clearly was a big one,' he wrote in a column." Steve Rice, "Pictures of Tragedy: To Publish or Not to Publish," *Miami Herald*, 28 Sept. 1986, p. 4C. For more on this photograph of the drowning victim, see *infra* note 94; Brown, *supra* note 74 at 77; and Lee Wilkins, "Newsgathering in Tragedy: Are There Any Limits?" in Philip Patterson and Lee Wilkins, *Media Ethics: Issues and Cases* (Dubuque, Ia: Wm. C. Brown, 1991), pp. 47-49.

In another account of a river tragedy, a photographer ignores protests and takes pictures of the bodies of three brothers drowned in a river. Their mother picks up her only surviving son and shouts, "Why don't you take a picture of him? He's all I have left." Clifford G. Christians, Kim B. Rotzoll, and Mark Fackler, *Media Ethics: Cases and Moral Reasoning*, 2d ed. (New York: Longman, 1987), pp. 120-123.

For yet another picture of a river drowning of a youth in Toledo, which was run twice (larger in the second edition in hopes of warding off future deaths, the managing editor of *The Blade* said), see 45 *News Photographer* (Dec. 1990), p. 21.

After the *New York Post* ran a front-page photograph of the body of the four-year-old son of rock guitarist Eric Clapton, hundreds of readers called in complaints. Then, in an editorial, the paper explained that it ran the photo of the boy, who had fallen from a forty-ninth-story window, out of "genuine public safety concerns" because a window guard could have prevented the death.[83]

The *Mesa Tribune* ran a picture of a 25-year-old man who was electrocuted while trimming a tree. Then protestors ran an old school bus through the newspaper office's glass front. The bus bore a sign saying, "Respect express."[84]

Broadcast pictures, of course, can also cause great distress, as evidenced by the controversy surrounding the airing of Pennsylvania Treasurer Budd Dwyer's suicide on some Pennsylvania TV stations. Dwyer had called a news conference, stuck a .357 Magnum in his mouth, and pulled the trigger. The controversy following the coverage prompted one author to write an article entitled, *'What did Mr. Dwyer do, daddy?' 'Well, as you could see, he committed suicide, darling.'*[85] Another author explained that it only took his TV station less than a minute to answer "no" to the question, "Is there any reason to show a man's head explode on TV?" The TV station then received over 200 phone calls, and "[a]ll but a few were positive."[86] Newspapers which ran photographs of Dwyer's death included *The Washington Post*, the *New York Daily News*,[87] and the *Philadelphia Enquirer*.[88]

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[82] Andrew Radolf, "Photo Controversy: Boston Herald Criticized by Some for Running a Front-Page Photo of a Woman Who Had Been Shot in the Face During a Robbery," 122 *Editor & Publisher* 16 (Nov. 4, 1989).

[83] George Garneau, "Publication of Photo Criticized: Readers and the Daily News Denounce New York Post's Publication of Uncovered Body of Deceased 4-year-old," 124 *Editor and Publisher* 11 (March 30, 1991).

Promoting public safety in the form of showing the importance of smoke detectors was the rationale given by the *Rushville [Ind.] Republican* for running the photograph of a distraught mother whose children died in a fire. Her burning home is in the background, and her skirt is hiked high on her hips as a policeman grabs hold of her. In fact, during the next few days after publication of the picture the Rushville Fire Department did sell 23 cases of smoke detectors. *See* Charles Wilson, "Seeing Both Sides: A Personal and Professional Dilemma," *Fineline* 3 (June 1989).

A Pulitzer prize-winning photograph of a young girl who was trapped in mud after the eruption of a volcano in Colombia and who later died both raised consciousness about the disaster and raised money for relief—a good result from a poignant picture. Conversation with Claude-Jean Bertrand, Professor at the University of Paris, after his presentation of the Earl English Lecture at the University of Missouri School of Journalism, April 3, 1992. For a copy of the picture, see *News Photographer* (July 1990), p. 19.

[84] Richard Cunningham, "A Photographer Defines Boundaries," 77 *Quill* 8, 10 (Nov. 1989).

A photograph published in the *Waukesha Freeman* showed the face of an unidentified, dead teenaged boy whose body was found in a state forest. The photographs generated roughly 200 phone calls, half approving, half disapproving its publication. The sheriff and county coroner had asked the newspaper to publish the picture, hoping to gain identification of the body. "Newspaper Photo Raises Hot Debate," Part 2, *Milwaukee Journal*, April 19, 1978, p. 2.

[85] David Dick, *'What did Mr. Dwyer do, daddy?' 'Well, as you could see, he committed suicide, darling.'* 75 *Quill* 18 (March 1987). Dick concludes that the media did not have a duty to run the footage and photos. He suggests to journalists, "Don't show the footage involving the gun. Simply tell the story with the

Images from the Gulf War also raised some viewers ire, along with ethical questions.[89]

And so it goes. Ethical questions arise as "hot news" breaks. In the heat of time pressure, decisions on sensitive issues must be made.[90] That is not the time for complicated ethical formulas, for categorical

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following explanation: 'We choose not to show the public pictures that exceed the bounds of our concept of what is decent and proper and above all, humane.'" *Id.*, p. 20.

[86] Frederick D'Ambrosi, *One from the heart: How a tough decision was made*, 75 *Quill* 20, 21 (March 1987).

[87] Dick, *supra* note 85 at 18.

[88] Michael Smith, "Newsroom dilemma: The Press Conference Suicide of Pennsylvania State Treasurer Revives Debate: Should TV Broadcast and Newspapers Publish Gory Photos of the Conference?" 120 *Editor & Publisher* 9 (Jan. 31, 1987). Smith points out that two days later, a 17-year-old youth from York, Pennsylvania, committed suicide by shooting himself in the mouth. *Id.* at 9. For the views of five editors on the Dwyer suicide coverage, see William Schultz, *et al.*, "News Photos of Public Suicide Placed Many Editors in Quandary," *ASNE Bulletin* (Feb. 1987), p. 4. *See also* Fredrickson, *supra* note 74.

Potentially more furor-provoking are situations where photographers choose to film instead of to intervene. For example, after making four phone calls to a Jacksonville, Alabama, television station, a man carried out his threat to set himself on fire. Television cameramen filmed the fire spreading on the man's leg for 37 seconds before helping to put out the fire. Over half of the man's body suffered second- and third-degree burns. "Man's Immolation on TV Sets Off Uproar," *Plain Dealer*, March 10, 1983, p. 2C.

[89] *See, e.g.*, Marty Linsky, "Press Responsibilities and Lessons from the Gulf," 3 *Media Ethics Update* 1 (Spring, 1991); Carol Squiers, "War in the Gulf," *Artforum* 25 (May 1991); Sue Ann Wood, "A Picture of Brutality," Aug. 12, 1990, p. D1. Other wars and their portrayals, of course, have raised similar ethical questions. *See, e.g.*, Max Kozloff, "Picturing the Killing Fields," *Art in America* 144 (June 1990) and Robin Andersen, "Images of War: Photojournalism, Ideology, and Central America," 61 *Latin American Perspectives* 96 (Spring 1989).

[90] For an account of ethical questions following the air disaster over Lockerbie, Scotland, which killed 35 Syracuse University students, see Saul Wisnia, "Private grief, public exposure: In covering a disaster, how intrusive is too intrusive?" 77 *Quill* 28 (July/August 1989).

imperatives or rule-utilitarianism rules. Ethics, to be practical in these situations, must be easy.[91] Like Thoreau on Walden pond,[92] we must search for a simpler way.

Emotivism provides the simpler way. Emotivism also provides a more accurate way of making ethical decisions. Complicated ethical theories and platitudes, revered through centuries of male chauvinism, do not improve ethical decisions, but in fact serve to muddle thought.

To apply emotivism to the decision of whether to take or use a photograph, one should follow these easy steps:

1. **Listen to one's emotions.** Maybe the situation will require that one listen more than once, as in the earlier example of how to handle a crying baby.[93] One's first reaction to a picture may be pride in having captured the moment that shows most vividly a matter of public importance. If the feeling of pride persists, accompanied by the sense that the public interest will be served, one should go with publishing the picture. But if the pride becomes tempered by feelings of revulsion, a less graphic picture should be one's choice.

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[91] Joann Byrd agrees that ethics must be easy in her article, "Ethics made easy (ahem)," *Communique*, Nov. 1989, at 3, although she apparently disagrees on the value of emotivism. Byrd is trying to formulate a "list of values" (not completed at the time her article went into print) that newspapers can "rank according to their own standards" and then use in deciding whether to publish "sensitive" stories. She believes that "[I]nstinct...doesn't help when you're making a difficult ethics decision."

Current professional codes of ethics do not rank values. The codes seem "contradictory," according to Jan Costello:

> [W]hile the Society of Professional Journalists, Sigma Delta Chi, urges the news media to respect the right to privacy and not to pander to morbid curiosity about sex, crime, and vice, the code also says the overriding mission is to satisfy "the public's right to know of events of public importance interest." Yet the public's interest in gossip, grotesque events, and human misery is precisely the problem.

Costello complains that professional organizations "encourage" untoward conduct. For example, the September 1985 edition of *News Photographer*, published by the National Press Photographers Associations, featured three award-winning pictures that all "exhibited a lack of respect for individual privacy":

> The top prize was awarded for a series of photographs of a desperate teenager threatening to jump off a bridge onto an interstate highway. The second place winner shows firemen carrying a charred—yet identifiable—body from a burning apartment complex. The focus of the third place winner is a hysterical woman who is watching paramedics try to resuscitate her five-year-old niece who lost consciousness in a burning house. Are these award-winning pictures worth the pain they may cause?

Costello, *supra* note 74 at 328.

The Poynter Institute for Media Studies was the site for the development of ten questions for journalists to use when making ethical decisions. These general questions include, "What are my ethical concerns?" and "Can I justify my decision and actions?" *See* Robert M. Steele, "Doing Ethics," *Media Ethics Update* (Spring 1992), p. 20.

[92] Henry David Thoreau, *Walden; or, Life in the Woods*, and *On the Duty of Civil Disobedience*, with an introduction by Normal Holmes Pearson (New York: Holt, Rinehart & Winston, 1964).

[93] *See supra* text following note 13.

The picture of the dead child's body, rotting and wrapped in chains after being pulled out of the lake, surely captures the moment in graphic terms. Of course, this is a matter of public interest. But if one's gag reflex is activated by the picture, one does not have to search through any complicated formulas to know the picture should not be used.

Perhaps a picture taken from a greater distance would cause a less negative emotional response. Sometimes a silhouette is less distressing.

If the persons cannot be identified, say in a picture of victims of a war, the emotional response probably will not be as severe. If the victims are from a distant place and thus the faces are not known to one, that may also make a difference.

But even if the face is not shown, if the body is shown wrapped in chains and if the body belongs to a school classmate, one knows one is creating the stuff from which nightmares are made.

2. **Quit rationalizing.** If emotion says the picture is too disgusting to run, one should avoid this kind of thought pattern: "It may be revolting, but it demonstrates the horror of what one human being can do to another, and the revulsion will be good for the public because it will galvanize the public into action."

Does a person really need to see the young girl's decomposing body to know that any human being who would wrap her in chains and dump her in the lake needs to be apprehended with all due speed?

Does a person need to see the naked belly of a mass shooting victim to comprehend that assault rifles are a bad thing for one human being to use on another?

Will seeing the grief of a family standing over a drowned boy result in fewer drowning deaths?[94]

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[94] "The most popular rationalization seems to be that the publication of such photos will make others more careful and will thus have the effect of reducing the incidence of accidental tragedy." Padgett, *supra* note 74 at 13. This is the rationalization used by editors and photographers following publication of the photograph of the drowning victim and his family in *The Bakersfield Californian*. *Id*. But Padgett argues:

> If editors and photographers are sincere about wanting to save lives from accidental drowning, why not editorialize for stricter requirements for lifeguards and lifeguard education, for the closing of unprotected swimming areas, and for more lifeguards at those that are supposedly protected? Why not urge or even sponsor annual swimming safety programs? It's a little difficult to swallow the prevention argument to justify grief photographs when editors are doing so little to meet their social responsibility through other means.

Id. For more on the photograph of the young drowning victim, see *supra* text accompanying note 81.

How about the time-honored economic justification: It sells newspapers; our competitors (newspaper or TV) will use it and capture a greater share of the market?[95] Or how about, it's legal, so it must be all right?

One road to hell may be paved with good intentions, but the shorter route is paved with rationalizations. If one's gut says "don't," then one should avoid looking to one's head to concoct some fancy reason to go ahead. Any activity known to man or woman, no matter how despicable, can be rationalized by a sufficiently creative person.

3. **Empathize**. In other words, one should use moral imagination. Based on one's experience with the world and other human beings who inhabit it, one can certainly imagine how one's actions will affect other human beings. One knows how the picture of the dead child will affect the child's family or school mates. One cannot claim ignorance of the effect on family and friends. Even readers who do not know that particular child can imagine the impact on those who do and can thus feel revulsion.

Empathy can take place from two perspectives.

First, one can empathize from the perspective of the pictured person or that person's family. They, of course, are the persons who will be most intimately affected by publication of the picture. If the picture does not identify a particular victim, that softens the effect. If the victim is from a distant land and the publication is of limited circulation, then the possibility that the victim or the victim's family will see the picture is remote. Again, this mitigates if not eliminates the concern.

Second, one can empathize from the perspective of the reading or viewing public. Will the public be distressed? Will one get 500 irate phone calls? One's moral imagination can give a pretty good gauge of public response. Many people were upset by a view of the space shuttle Challenger exploding like a Chinese fireworks display. But imagine the public response if the media had run a clearly recognizable picture of school teacher Christa McAuliffe as she appeared on the bottom of the ocean floor?

Empathizing from the perspective of the victim or the victim's family, however, is more important and is perhaps sufficient. Why? Because if a picture would outrage a victim, it would outrage the reading public, the community, because the community's response, by and large, will be based on empathy with the victim.

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[95] When asked if they would have published that the man who deflected the gun aimed at President Gerald Ford was a homosexual, 383 editors said no, 126 yes. But when asked if they would have published it if others had, 344 said yes, 91 no. Robert Schulman, "Compassion vs. the Public Interest: Would You Publish?" *Courier Journal*, May 16, 1976, p. D3.

One should think of the victims and try, through empathy, not to victimize them again.[96] This same view is expressed in the words "Love your neighbor as yourself" or "Respect your neighbor" or "Treat people as ends, not means." By using one's moral imagination to empathize with others, one can avoid treating them as mere means. One can bridge the distance between oneself and others. The pictured individual is not just an object or a newsworthy subject. One's emotional sensibilities have attached to that individual through empathy. That individual's pain becomes one's own pain. To feel another's pain is not a sign of weakness, but a sign of great moral strength.

The ability to empathize is at least as great an achievement as the ability to reason. No other function of the human mind has greater practical value or more nobility than has the moral imagination. Surely the voice of care comes from an empathetic person, a person who exercises moral imagination.[97]

4. Last, **trust emotions**. One should not be duped into believing that one has to go through fancy mental machinations to come up with the right ethical decision. This is a phallacy, spelled with a "ph," born of centuries of masculine derogation of anything associated with females. Acting ethically is simple if one just avoids the phallacy that ethics must be complicated and "rational."

Denigration of emotions is a crime against nature. It has resulted in unnecessary injury to fellow human beings. To recognize the ethical power of the emotions is nothing but to turn back to a natural capacity that promotes the wellbeing of all humanity. To abandon use of this remarkable human capacity is to invite ethical error.

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[96] Garry Bryant, Staff Photographer at the *Deseret News* in Salt Lake City, Utah, uses this "[s]oul-searching checklist":

> Each time I focus in on a situation of [people in grief] I do go through a deep soul-searching experience. I explore these things with myself:
>
> 1. I have to determine if the private moment of pain and suffering I find myself watching needs to be seen. Should this moment become public? If so, does it tell the story or part of the story of this event?
>
> 2. Are the people involved in such shambles over the moment that being photographed will send them into greater trauma?
>
> 3. Am I at a distance trying to be as unobtrusive as possible?
>
> 4. Am I acting with compassion and sensitivity?
>
> Usually for me all of these are weighed in hundredths of seconds.

Garry Bryant, "Ten-Fifty P.I.: Emotion and the Photographer's Role," 2 *Journal of Mass Media Ethics*, 32, 34 (Spring/Summer 1987).

[97] On Carol Gilligan and the voice of care, *see supra* notes 5-7 and accompanying text.

In the newsroom and in the journalism classroom, emotions must be given respect. The apotheosis of a journalist without emotions could well be one of T.S. Eliot's "hollow men."[98] In these days of advancing media technology, emotional responses become increasingly important. Technology untempered by moral imagination is simply untenable. As technology erases physical barriers to newsgathering and news dissemination, the moral imagination must set ethical limits. This is particularly true in the case of graphic photographs because they can cause such strong emotional responses. The ability to empathize gives the power to predict these responses and to structure our actions accordingly.

Fortunately, emotional responses occur rapidly enough to keep pace with the hottest breaking news. Thus the immediacy of emotional responses suit them for the newsroom. As one of the news directors who helped decide not to air Pennsylvania Treasurer Budd Dwyer's suicide said, "We made a quick decision—with our hearts rather than with our minds—and judging from community reaction, it was the right one."[99]

Ponderous rationalism cannot keep pace. Beyond reason, in emotion, lies a more workable theory of ethics.

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[98] We are the hollow men
We are the stuffed men
Leaning together
Headpiece filled with staw. Alas!
Our dried voices, when
We whisper together
Are quiet and meaningless
As wind in dry grass
Or rats' feet over broken glass
In our dry cellar....

T.S. Eliot, "The Hollow Men: A Penny for the Old Guy," ed. by Donald Clark, Leon Dickinson, Charles Hudson, & George Pace, *English Literature: A College Anthology* (New York: Macmillan Co., 1960), p. 987.

[99] D'Ambrosi, *supra* note 86 at 21.

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APPENDIX A

The Historical Portrayal of Women by Philosophers

It is not true that any philosopher who considers women equal to men necessarily values emotion, as Plato's philosophy, our starting point, demonstrates. But in Western philosophy and society, a general disparagement of both women and emotion emerge.

In the *Gorgias*, Plato wrote:

> Socrates: Well, now, a man who has learnt carpentry is a carpenter, isn't he?
> Gorgias: Yes.
> Socrates: And a man who has learnt music a musician?
> Gorgias: Yes.
>
> [Note that we are talking about men.]
>
> Socrates: And a man who has learnt medicine a doctor, and so on. In fact, a man who has learnt any subject possesses the character which knowledge of that subject confers?
> Gorgias: Of course.
> Socrates: Then by the same reckoning a man who has learnt about right will be righteous?
> Gorgias: Of course.[1]

Of course. So goes the dogma of reason as master. Although experience has discredited the view that if one knows what is right, one will do what is right, subtle variations on this dogma pervade most of Western philosophy. Reason has been deified as the master who will lead us to the good, if only we obey its dictates. First, of course, we must purify reason, eliminating from it all traces of emotion or passion.[2]

Emotion has been pitted against reason in a Manichean[3] manner. Emotion is a devil, reason, a god. To attain virtue, we must struggle against emotion, crushing it with rational thought. Reason over emotion, good over evil.

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[1] Plato, *Gorgias*, trans. with an introduction by W. Hamilton (Baltimore, Md: Penguin Books, 1960), p. 39.

[2] The terms "emotion," "feeling," and "passion," for purposes of this paper, are one and the same. This comports with common usage, as reflected in one of the definitions of "passion" in the *Oxford English Dictionary* (Oxford University Press, 1971): "Any kind of feeling by which the mind is powerfully affected or moved; a vehement, commanding, or overpowering emotion."

"Emotion" and "desire" are distinct, yet related. A desire, simply stated, is a "craving." It shares with emotion the ability to powerfully affect the mind. Desire and emotion also share the attribute of being nonrational. But desire is distinct from emotion, because different desires or cravings, whether one sees them displayed by ourselves or others, can arouse different emotional responses—hatred, loathing, pity, pride, joy, respect, love. For instance, a desire to be a classical pianist may arouse feelings of respect; a desire to drink human blood, revulsion.

[3] "Manicheanism was the concept that the world was being contested for by two powerful adversaries, Good and Evil, and that they were essentially evenly matched and that the issue was still in doubt." Donald Atwell Zoll, *Reason and Rebellion: An Informal History of Political Ideas* (Englewood Cliffs, N.J.: Prentice-Hall, 1963), p. 75 n.16.

Once reason has triumphed over emotion, it can rise in that rarified air of pure thought, leaving behind, and looking down upon, the tangled web of irrational emotion.

Throughout the history of philosophy and literature, males have been considered the repository of reason, females, emotion. That is an oversimplification, like all generalizations, but oversimplification does not negate the general point that males have been considered reasonable, women, emotional.

Plato, who was born in 428 B.C.,[4] was ahead of his time, and ours, concerning women. In Plato's ideal state, women would receive the same education as men, become rulers, and even exercise in the nude like men.[5] Plato, however, did take a dim view of emotions, censoring poets for both gloomy writings and those that would provoke too much laughter.[6]

Aristotle could perhaps be interpreted as more accepting of emotions, so long as they were held in check by the "golden mean."[7] Yet he clearly thought reason should dominate passion, and men dominate women:

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[4] Francis MacDonald Cornford, Introduction, *The Republic of Plato*, p. xv.

[5] Plato, "The Equality of Women," *The Republic of Plato*, trans. with an introduction by Francis Macdonald Cornford (New York: Oxford University Press, 1941), pp. 144-55.

[6] In speaking of the education of guardians, Plato says, for instance:

> The poets must be told to speak well of that other world. The gloomy descriptions they now give must be forbidden, not only as untrue, but as injurious to our future warriors. ...
>
> Another thing we must banish is the wailing and lamentations of the famous heroes. For this reason: if two friends are both men of high character, neither of them will think that death has any terrors for his comrade; and so he will not mourn for his friend's sake, as if something terrible had befallen him.
>
> ...
>
> Again, our Guardians ought not to be overmuch given to laughter. Violent laughter tends to provoke an equally violent reaction. We must not allow poets to describe men of worth being overcome by it.

Plato, *Republic*, pp. 76-78. Thus, Plato seems to be advancing practical reasons for limiting emotions; strong emotions could interfere with the guardian's business of guarding.

[7] "Virtue is a mean," Aristotle says.

> "[V]irtue must have the quality of aiming at the intermediate. I mean moral virtue; for it is this that is concerned with passions and actions, and in these there is excess, defect, and the intermediate. For instance, both fear and confidence and appetite and anger and pity and in general pleasure and pain may be felt both too much and too little, and in both cases not well; but to feel them at the right time, with reference to the right objects, towards the right people, with the right motive, and in the right way, is what is both intermediate and best, and this is characteristic of virrtue. Similarly with regard to actions also there is excess, defect, and the intermediate.

Nichomachean Ethics, pp. 339-40. "This, then, is what the just is—the proportional; the unjust is what violates the proportion." Aristotle, *Nichomachean Ethics*, ed. Richard McKeon, *Introduction to Aristotle* (New York: The Modern Library, 1947), p. 404.

> The rule of the soul over the body, and of the mind and the rational over the passionate, is natural and expedient; whereas the equality of the two or the rule of the inferior is always hurtful. The same holds good of animals in relation to men; for tame animals have a better nature than wild, and all tame animals are better off when they are ruled by man, for then they are preserved. Again, the male is by nature superior, and the female inferior; and the one rules, and the other is ruled....[8]

Aristotle flatly rejects Plato's notion of equality of the sexes; man rules over his inferiors, such as barnyard animals and women.[9] This was the natural state of affairs, like the positions of the stars, the "unmoved movers."[10]

Christianity, by and large, did loosen reason's foothold, for Christian writers put faith above reason. In *On the Truth of the Catholic Faith*, St. Thomas Acquinas maintained: "Now, perhaps some will think that men should not be asked to believe what the reason is not adequate to investigate.... We must therefore prove that it is necessary for man to receive from God as objects of belief even those truths that are above the human reason."[11] Thus it is reason's limited power to grasp truth that mandates faith—faith that transcends reason to grasp higher truths.

Faith, in turn, is eclipsed by the emotion of love.[12] "[T]here are three things that last forever: faith, hope, and love; but the greatest of them all is love."[13]

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[8] Aristotle, *Politics*, ed. Richard McKeon, *Introduction to Aristotle*, p. 560. In his ethical writings, Aristotle says that "as the child should live according to the direction of his tutor, so the appetitive element should live according to rational principle...." *Nicomachean Ethics*, p. 373.

[9] Aristotle specifically disagreed with Plato: "[T]he temperance of a man and of a woman, or the courage and justice of a man and of a woman, are not, as Socrates maintained, the same; the courage of a man is shown in commanding, of a woman in obeying." Aristotle, *Politics*, p. 576 (citing Plato, *Meno*, 72A-73C).

[10] Aristotle posited an "Unmoved Mover," a "reason why" of motion in the physical universe. But when the astronomer Callippus showed that the motion of the stars could not be explained by a single force but required a number of independent forces, Aristotle amended his philosophy to say there are 55 Unmoved Movers. John Herman Randall, Jr., *Aristotle* (New York: Columbia University Press, 1960), pp. 134, 136-37.

[11] St. Thomas Acquinas, *On the Truth of the Catholic Faith*, ed. Herman Shapiro, *Medieval Philosophy* (New York: The Modern Library, 1964), pp. 341-42.

[12] Perhaps faith itself is an emotion, but perhaps most theologians would categorize faith as *sui generis*—a thing unto itself, a unique function of the mind.

[13] I Corinthians 13:13. Beginning with verse 4, here is that passage in context:

> Love is patient; love is kind and envies no one. Love is never boastful, nor conceited, nor rude; never selfish, not quick to take offence. Love keeps no score of wrongs; does not gloat over other men's sins, but delights in the truth. There is nothing love cannot face; there is no limit to its faith, its hope, and its endurance.
>
> Love will never come to an end. Are there prophets? their work will be over. Are there tongues of ecstasy? they will cease. Is there knowledge? it will vanish away; for our knowledge

But while emotion takes a front seat in the Bible, women, in many interpretations of the Bible, take a back seat. God the father; the son who is sent to save the world; priests who are males and who cannot marry; Eve and the apple—all are associated with Christianity.[14]

But there was always a positive side of the Bible for women. In Chapter I of Genesis, God created heaven and earth, then populated the earth with life, moving from lower forms of animal life to man. But it was not man who was God's last creation, but woman. Man was made from dirt, from clay.[15] But to create woman, God started with higher stuff—a chunk of a man, a rib.[16] Woman was God's ultimate creation.

With the Renaissance and the decline of the relative power of the Church, Machiavelli promoted secular power. In *The Prince*, written early in the sixteenth century but not published until five years after his death[17], he wrote of conquering not only principalities, but also women:

> I certainly think that it is better to be impetuous than cautious, for fortune is a woman, and it is necessary, if you wish to master her, to conquer her by force; and it can be seen that she lets herself be overcome by the bold rather than by those who proceed coldly. And therefore, like a woman, she is always a friend to the young, because they are less cautious, fiercer, and master her with greater authority.[18]

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and our prophecy alike are partial, and the partial vanishes when wholeness comes. When I was a child, my speech, my outlook, and my thoughts were childish. When I grew up, I had finished with childish things. Now we see only puzzling reflections in a mirror, but then we shall see face to face. My knowledge now is partial; then it will be whole, like God's knowledge of me. In a word, there are three things that last for ever: faith, hope, and love; but the greatest of them all is love.

[14] "Our Father, who art in heaven, hallowed be thy name...." Matthew 6:9.

John 3:16 says, "For God so loved the world that He gave his only begotten Son, so everyone who has faith in Him may not die but have eternal life."

As for women's place in the church, I Corinthians 14:34-35 says: "As in all congregations of God's people, women should not address the meeting. They have no license to speak, but should keep their place as the law directs. If there is something they want to know, they can ask their own husbands at home. It is a shocking thing that a woman should address the congregation."

The third chapter of Genesis tells the story of Eve.

[15] Genesis 2:7.

[16] Genesis 2:21, 22.

[17] Christian Gauss, Introduction to Machiavelli, *The Prince*, (New York: The New American Library, 1952), p. 11.

[18] Machiavelli, *The Prince*, p. 123.

Nearly two centuries later, in the late 1700's, Kant also wrote about the subjugation of women. But unlike Machiavelli, Kant is associated with high ideals—due to Kant's ethics proclaiming his categorical imperative,[19] not his seldom-mentioned view about women.[20]

In Kant's ethics, it is pure reason that presents duty[21]—"Duty! Thou sublime and mighty name...."[22] But, of course, actions must take place in the empirical world, not the world of reason, and we must make a moral judgment. Kant says, "The rule of judgment under laws of pure practical reason is: Ask yourself whether, if the action which you propose should take place by a law of nature of which you yourself were a part, you could regard it as possible through your will." Kant then gives us some examples:

> If one belonged to such an order of things that anyone would allow himself to deceive when he thought it to his advantage, or felt justified in shortening his life as soon as he was thoroughly weary of it, or looked with complete indifference on the need of others, would he assent of his own will to being a member of such an order of things? ... If the maxim of action is not so constituted as to stand the test of being made the form of a natural law in general, it is morally impossible....[23]

The inflexibility of Kant, for instance, in never permitting one to lie even if it meant that an innocent person would die,[24] has brought him some disrepute. Also somewhat troubling is Kant's acknowledgement that a person can never know if he or she truly did a moral act, i.e., acted only out of respect for moral duty, although one can be sure that one has done a legal act.[25] But of most concern is his view of women. Women are not citizens in Kant's state, based on the following "logic":

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[19] "So act that the maxim of your will could always hold at the same time as a principle establishing universal law." Immanuel Kant, *Critique of Practical Reason*, trans. with an introduction by Lewis White Beck (New York: Bobbs-Merrill, 1956), p. 30.

[20] *See infra* text accompanying note 26.

[21] "Reason determines the will jn a practical law directly, not through an intervening feeling of pleasure or displeasure, even if this pleasure is taken in the law itself. Only because, as pure reason, it can be practical is it possible for it to give law." Kant, *Critique of Practical Reason*, p. 24.

"[T]he moral law is given, as an apodictically certain fact, as it were, of pure reason, a fact of which we are a priori conscious...." *Id.*, p. 48.

[22] *Id.*, p. 89.

[23] *Id.*, p. 72.

[24] Kant argued this view in his essay, "On an Alleged Right to Lie from Altruistic Motives." *See* Lewis White Beck, *A Commentary on Kant's Critique of Practical Reason* (Chicago: University of Chicago Press, 1960), p. 80.

> Fitness for voting is a prerequisite of being a citizen. To be fit to vote, a person must be independent and not just a part of the commonwealth, but also a member of it, that is, he must will of his own accord, together with others, to be an active part of the commonwealth. This qualification leads to the distinction between an active and a passive citizen, although the concept of the latter appears to contradict the definition of the concept of a citizen in general. The following examples [of passive citizens] may serve to clear up this difficulty: an apprentice of a merchant or artisan; a servant (not in the service of the state); a minor ...; all women; and generally anyone who must depend for his support (subsistence and protection), not on his own industry, but on arrangements by others (with the exception of the state)—all such people lack civil personality....[26]

Perhaps it is an *ad hominem* argument, but it is hard to take seriously the ethical views of a philosopher who would deny citizenship to the bulk of the human race. Or perhaps Kant's political theory should just be written off as inconsistent with his ethical theory. Kant maintained, "Consistency is the highest obligation of a philosopher and yet the most rarely found."[27] Arguably, he simply failed to meet that highest obligation.[28]

In 1861, less than two centuries after Kant and nearly twenty-two centuries after Plato, John Stuart Mill wrote an essay entitled "The Subjection of Women." It was the last work he published.[29] He wrote it to explain the "grounds of an opinion" which had been "constantly growing stronger by the progress of reflection and the experience of life." His opinion was that "the legal subordination of one sex to the other ... is wrong in itself, and now one of the chief hindrances to human improvement; and it ought to be replaced by a principle of perfect equality...."[30] Subjection of women, he said, is based on custom—"the fact that from the very earliest twilight of human society, every woman (owing to the value attached to her by men, combined with her inferiority in muscular strength) was found in a state of bondage to man."[31] In short, "the inequality of rights ...has no other source than the law of the strongest."[32]

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[25] Kant says:

> [I]t is not possible for man to look so far into the depths of his own heart as ever to be entirely certain, even in one single action, of the purity of his moral purpose and the sincerity of his mental disposition, although he has no doubt at all about its legality. Often the weakness which dissuades a man from the risk of a crime is regarded by him as virtue (which involves the concept of strength). But how many people who have lived a long and blameless life are merely fortunate to have escaped many temptations? With each deed, how much pure moral content might have been in their mental disposition remains hidden even from themselves.

Kant, *The Metaphysical Principles of Virtue*, trans. James Ellington with an Introduction by Warner Wick (New York: Bobbs-Merrill, 1964), p. 51.

[26] Immanuel Kant, *The Metaphysical Elements of Justice*, trans. with an introduction by John Ladd (New York: Bobbs-Merrill, 1965), p. 79.

[27] Kant, *Critique of Practical Reason*, p. 23.

[28] The theory of politics which is consistent with Kant's ethics is found in Rawl's *A Theory of Justice*—a theory grounded on equality. Rawls advocates, as his highest principle, "an equal right to the most extensive basic liberty compatible with a similar liberty for others." Inequality must be to "everyone's advantage." Rawls, *A Theory of Justice* (Cambridge, Massachusetts: Harvard University Press, 1971), pp. 60-62. To ensure "pure procedural justice," Rawls posits a "veil of ignorance" which will "nullify the effects of specific contingencies which put men [and women] at odds and tempt them to exploit social and natural circumstances to their own advantage." *Id*., p. 136. For a feminist perspective on Rawl's theory, see Mari J. Matsuda, "Liberal Jurisprudence and Abstracted Visions of Human Nature: A Feminist Critique of Rawls' Theory of Justice," 16 *New Mexico L. Rev.* 613 (1986).

[29] Millicent Garrett Fawcett, Introduction, *Three Essays by John Stuart Mill* (New York: Oxford University Press, 1912), p. xvii.

But although he valued women, he denigrated the value of "feelings" early in his essay. According to Mill, the feelings of those favoring women's subjection presented a hurdle for him as he tried to explain his opinion favoring equality:

> The difficulty is that which exists in all cases in which there is a mass of feeling to be contended against. So long as an opinion is strongly rooted in the feelings, it gains rather than loses in stability by having a preponderating weight of argument against it. For if it were accepted as a result of argument, the refutation of the argument might shake the solidity of the conviction; but when it rests solely on feeling, the worse it fares in argumentative contest, the more persuaded its adherents are that their feeling must have some deeper ground, which the arguments do not reach....[33]

Later he says that the proponents of the subjection of women have "too much faith in custom and the general feeling."

> It is one of the characteristic prejudices of the reaction of the nineteenth century against the eighteenth, to accord to the unreasoning elements in human nature the infallibility which the eighteenth century is supposed to have ascribed to the reasoning elements. For the apotheosis of Reason we have substituted that of Instinct; and we call everything instinct which we find in ourselves and for which we cannot trace any rational foundation. This idolatry, infinitely more degrading than the other, and the most pernicious of the false worships of the present day, of all of which it is now the main support, will probably hold its ground until it gives way

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[30] John Stuart Mill, "The Subjection of Women," *Three Essays by John Stuart Mill*, with an introduction by Millicent Garrett Fawcett (New York: Oxford University Press, 1912), p. 427. In freeing women from subjection, Mill says, an advantage would be "doubling the mass of mental faculties available for the higher service of mankind." *Id.*, p. 525.

[31] *Id.*, pp. 431-32. Certainly this subjection was not the result of trying the principle of equality and then deciding that woman's subjection to man "was the arrangement most conducive to the happiness and well-being of both." *Id.*, p. 431.

[32] *Id.*, p. 433. Mill specifically rejects the notion that women are by nature inferior. *Id.*, pp. 451-60. He even rejects the notion "that any one knows, or can know, the nature of the two sexes, as long as they have only been seen in their present relation to one another." *Id.*, p. 451.

Mill, in fact, seems to consider women superior, for he says that when women "chance to be as well provided as men are with the results of other people's experience, by reading and education..., they are better furnished than men in general with the essential requisites of skilful and successful practice." Women possess "intuition." *Id.*, pp. 494-95.

[33] *Id.*, p. 427.

> before a sound psychology, laying bare the real root of much that is bowed down to as the intention of Nature and the ordinance of God.[34]

Thus "feelings," as deplored by Mill, seem to encompass everything outside of reason—desires, emotions, even blind faith.

But while at first denigrating feelings, Mill goes on to congratulate "the improvement of the moral *sentiments* of mankind." This improvement, according to Mill, is seen in mankind's abandonment of the law of the strongest in virtually every other aspect of human relations other than that between men and women. [35] In regard to slavery, Mill speaks laudatorily about feelings:

> Less than forty years ago, Englishmen might still by law hold human beings in bondage as saleable property: within the present century they might kidnap them and carry them off, and work them literally to death. This absolutely extreme case of the law of force, condemned by those who can tolerate almost every other form of arbitrary power, and which, of all others, presents features *the most revolting to the feelings of all who look at it from an impartial position*, was the law of civilized and Christian England within the memory of persons now living.... [Slavery's] motive was the love of gain, unmixed and undisguised; and those who profited by it were a very small numerical fraction of the country, while *the natural feeling of all who were not personally interested in it, was unmitigated abhorrence*.[36]

In short, Mill denigrated or applauded feelings as it suited him. Near the end of this work, however, Mill made clear the value he placed on empathy, a concept discussed later in this paper.

Some philosophers, of course, do not mention women. It is the language of exclusion. Karl Marx ended his *Manifesto*, written in 1848,[37] "Working men of all countries, unite!"[38] Even feminist Kate Millett began her book, *Sexual Politics*, in masculine terms: "Before the reader is shunted through the relatively uncharted, often even hypothetical territory which lies before him, it is perhaps only fair he be equipped with some general notion of the terrain."[39] But perhaps her language merely reflects that she thought it was the male of the species who needed enlightenment.

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[34] *Id*., p. 430.

[35] *Id*., p. 433 (emphasis added). Near the end of his work, Mill says, "But so long as the right of the strong to power over the weak rules in the very heart of society, ...the law of justice, which is also that of Christianity, will never get possession of men's inmost sentiments...." *Id*., p. 525.

[36] *Id*., p. 437 (emphasis added).

[37] Stefan T. Possony, Introduction, Karl Marx, *Communist Manifesto* (Chicago: Henry Regnery Co., 1954), p. vii.

[38] Karl Marx, *The Communist Manifesto*, trans. Samuel Moore with an introduction by Stefan T. Possony (Chicago: Henry Regnery Co., 1954), p. 82.

[39] Kate Millet, Preface, *Sexual Politics* (Garden City, New York: Doubleday & Co., 1970), p. xi.

Sexist language also pervades the law in both statutes and court cases. If there is one area of the law where one might expect feminine language to be used, it is prostitution. But, for example, Missouri's prostitution statute says that "a person commits prostitution if *he* engages or offers or agrees to engage in sexual conduct with another person in return for something of value...."[40] Missouri also has a statute that explains that whenever the "masculine gender" is used, "females as well as males ... are included."[41]

Historically the attitude of law toward women has been paternalistic. Women have been treated like children, unable to make moral, political, or business decisions. They have been excluded from the workplace and from the professions, including law.[42] In 1872, in his concurring opinion in *Bradwell v. Illinois*, United States Supreme Court Justice Bradley argued:

> The civil law, as well as nature herself, has always recognized a wide difference in the respective spheres and destinies of man and woman. Man is, or should be, woman's protector and defender. The natural and proper timidity and delicacy which belongs to the female sex evidently unfits it for many of the occupations of civil life.[43]

Woman's "proper timidity and delicacy" also made her unfit to vote. In marriage, she lost control of property, instead becoming property.[44] It is a part of our cultural heritage—a heritage that not only has deprived women, but has had an adverse impact on ethics.

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[40] Missouri Revised Statutes § 567.010(2) (1986) (emphasis added).

[41] Missouri Revised Statutes § 1.030.2 (1986).

[42] On inequality in public offices, occupations, and the arts, see Mill, "The Subjection of Women," pp. 484-520. Mill says, "There is nothing, after disease, indigence, and guilt, so fatal to the pleasurable enjoyment of life as the want of a worthy outlet for the active faculties." *Id.*, pp. 544-45.

[43] *Bradwell v. Illinois*, 83 U.S. 130, 141 (1872).

[44] On inequality in marriage and property rights, see Mill, "The Subjection of Women," pp. 460-84. Mill says, "Marriage is the only actual bondage known to our law." *Id.*, p. 522.

APPENDIX B

Kantian Foundations of the Moral Imagination

Use of the moral imagination to achieve a higher level of ethical awareness is a concept which can be explained by an analogy to one of Kant's metaphysical concepts. Kant uses the notion of the imagination. When it comes to perceiving the outside world, the imagination must reproduce representations, or sensations, and then synthesize the manifold of representations; without this power of imagination to reproduce and combine representations, no one could experience the outside world or even have any conception of space and time.[1] Kant explains the importance of the imagination's power of reproduction and synthesis in these words:

> When I seek to draw a line in thought, or to think of the time from one noon to another, ... obviously the various manifold representations that are involved must be apprehended by me in thought one after the other. But if I were always to drop out of thought the preceding representations (the first parts of the line, the antecedent parts of the time period...), and did not reproduce them while advancing to those that follow, a complete representation would never be obtained; ... not even the purest and most elementary representations of space and time could arise.[2]

And later Kant says:

> [S]ince every appearance contains a manifold, and since different perceptions therefore occur in the mind separately and singly, a combination of them, such as they cannot have in sense itself, is demanded. There must therefore exist in us an active faculty for the synthesis of this manifold. To this faculty I give the title, imagination. Its actions, when immediately directed upon perceptions, I entitle apprehension. ...
>
> But it is clear that even this apprehension of the manifold would not by itself produce an image and a connection of the impressions, were it not that there exists a subjective ground which leads the mind to reinstate a preceding perception alongside the subsequent perception to which it has passed, and so to form whole series of perceptions. This is the reproductive faculty of imagination....[3]

Imagination reproduces and synthesizes sensations such as black and beige color and softness and warmth into something recognizable, say, a dog. This concept or idea is something greater than all the bits and pieces of sensation that must be reproduced and synthesized to create it. Experience moves to a higher level through reproduction and synthesis than would be possible if one were only aware of immediate sensation. "Dog" is a higher level experience than that of fleeting sensations of beige and black and softness and warmth.

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[1] Immanuel Kant, *The Critique of Pure Reason*, unabridged ed., trans. by Norman Kemp Smith (New York: St. Martin's Press, 1965) pp. 132-33.

[2] *Id.*, p. 133.

[3] *Id.*, p. 144.

The synthesis of imagination, according to Kant, is also important in forming concepts. Images lack the universality necessary for concepts. For instance, "[n]o image could ever be adequate to the concept of a triangle in general. ... The schema of the triangle can exist nowhere but in thought. It is a rule of synthesis of the imagination, in respect to pure figures in space."[4] Concepts of any empirical objects require imagination: "The concept 'dog' signifies a rule according to which my imagination can delineate the figure of a four-footed animal in a general manner, without limitation to any single determinate figure such as experience ... actually presents."[5]

Likewise, in ethics, the imagination can synthesize the bits and pieces of ethical experience. By reproducing and meshing together all the complex feelings that one experiences while empathizing with other creatures, one can move to a higher moral experience. The difference is not merely quantitative, but also qualitative, just as there is a qualitative difference between experiencing black and beige and softness and warmth and experiencing "dog."

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[4] *Id.*, p. 182.

[5] *Id.*, pp. 182-83.

Organizational Communication Deficits and Overloads:
The Origins of Entropy in the News Room

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75-word ABSTRACT

The ICA (International Communication Association) Communication Audit was presented to 11 daily newspapers in Eastern Pennsylvania. Voluntary, mailed response totaled N = 141, 25.6 percent. Study's purpose: to measure entropy/ uncertainty levels in news rooms of selected daily newspapers. An uncertainty index, a statistic indigenous to the instrument used, showed high levels of uncertainty on organizational and editorial policies, and on top management and middle management as sources of information. High levels of uncertainty were present on several other variables. "Grapevine," or informal communication, produced the only overload. Paired t-test of 42 pairs of variables produced significant relationships ($p = .001$; $p = <.001$) on 40 pairs.

Organizational Communication Deficits and Overloads: The Origins of Entropy in the News Room

ABSTRACT

Daily newspaper journalists are generally successful in communicating the day´s events to an unseen reading audience. But how well do they communicate among each other in their respective news rooms? How much uncertainty or entropy is generated by news room employees´ ability or lack of ability to communicate?

The ICA (International Communication Association) Communication Audit was presented to editorial department workers in the news rooms of 11 daily newspapers in Eastern Pennsylvania to measure journalists´ satisfaction with communication in their news rooms. Newspapers were chosen by circulation and location in a concentrated geographic region. Rate of voluntary response: N = 141, 25.6 percent. Some 33 news room job titles represented.

Instrument contained 116 variables of organizational communication. All variables on Likert Scale, 1 to 5, with 1 "very little" communication, 5 "very great." Two categories of response existed on five dimensions of organizational communication: current (amount of information received now) and ideal (amount of information needed). The five dimensions included receiving, sending, sources, follow-up, and channels of communication.

From these five dimensions, an uncertainty index or measure of entropy was derived by subtracting current category mean scores from ideal category mean scores. An uncertainty index of -1.0 or above represents a high level of uncertainty.

A paired t-test on all 42 pairs of variables with current and ideal scores produced significant relationships at the .001 level or less ($p = .001$; $p = <.001$) on 40 of the 42 pairs.

Findings indicated high levels of uncertainty in the news rooms of newspapers in the study. On only one of the five dimensions explored, channels of communication, were levels of uncertainty relatively low. The highest levels appeared on the following variables within the remaining four dimensions:

Receiving information: "organizational policies," "editorial policies," "organizational decisions," "chances for advancement," and "problems faced by the organization."

Sending information: "evaluating the performance of my immediate supervisor."

Sources of information: "top management," "department meetings," "department presentations," and "middle management."

Sources of information: "top management," "department meetings," "department presentations," and "middle management."

Sources of information produced the only overload of information on the variable "the grapevine," or informal communication.

Follow-up on information sent: "top managmement."

Introduction

Through the decades numerous communication variables have been examined in the discipline of mass communication as it applies to the newspaper industry. The focal points of many of these studies involve how effectively news is transmitted to the reading audience, what formats and styles are most apt to be read and understood, and how newspaper personnel can improve their product to better meet the needs of readers in an increasingly competitive market.

These approaches are connected by a common vantage point which could be depicted by a tableau of researchers and journalists looking outward from the windows of newspaper offices searching for clues from the outside to solve problems that exist inside. It has resulted in a situation that perhaps calls for an alternate approach.

While much of the research is aimed at gauging how satisfied an unseen reading audience is with the manner in which journalism personnel communicate the day´s events, research in the area of how well the communicators communicate among themselves in the news room has been virtually nonexistent.

Other types of control analysis (Lasswell, 1948) have been conducted, among them job satisfaction at selected United States dailies (Ogan and Weaver, 1978-79), how journalists think (Vanatta, 1981), and how organization editors regard their jobs and their profession (Ranly, 1989), but none has examined how satisfied journalists are with communication in their news rooms.

Endres (1985) examined socialization factors influencing ethical decisions by journalists, and Joseph (1981) looked at decision-making practices on American dailies. But these studies focused on limited aspects of news room communication. The present study examines journalists´ levels of entropy or uncertainty on particular news room communication variables. The study derives from a larger investigation that sought to discover how satisifed journalists are with communication in their news rooms.

In the literature of journalism research one must look to Breed´s (1955) work "Social Control in the News Room: A Functional Analysis," in which Breed outlines several control factors that exist in the culture of the news room. These factors influence not only behavior by creating norms and defining roles, but they influence the contents and character of the product itself, the newspaper.

Turow (1979) supported Breed´s assertion that what is presented in the newspaper does not solely represent the choices of individual reporters and editors. The content of the newspaper is the by-product of an interdependent collectivity which processes and shapes the news based on often tacit editorial policies, and norms that arise from and are perpetuated by the news room culture.

Entropy The prevailing culture of a news room represents a living social system analogous to a biological organism.

Katz and Kahn (1978) equated social organizatiaons with biological organisms in the sense that both are open systems which take in raw material, (input), process it, (throughput), and create a product or by-product (output).

Within this process exists the inevitable open system component of entropy. Katz and Kahn describe entropy according to the second law of thermodynamics in which they note that "as a system moves toward equilibrium, it tends to run down. Its differentiated structures tend to move toward dissolution as the elements composing them become arranged in random disorder."

Severin and Tankard (1992) cite entropy in information theory as the degree of randomness or uncertainty in a communication system, the amount of freedom a participant in a communication event has to interpret or encode a message.

The implications for communication in the news room setting are clear: the more randomness that exists in a communication system, the greater the likelihood that intended messages will not be understood by receivers.

One cause of entropy is noise in the system, emanating perhaps from within the participants in a communication event, or from the context in which the participants are located, that is, both psychological and sociological origins.

Noise in the channel has the capacity to reduce understanding, and, oddly, to increase information (Severin and Tankard, 1992). But since noise is information that doesn´t apply to the intended message, it contributes to the creation of entropy.

Because of its capacity to import energy, a living system such as a social organization has the ability to counteract entropy (Katz and Kahn, 1992).

With the importation of energy in the form of external information to be processed as news, in addition to the constant interplay among and between editorial workers en route to putting out the newspaper, it would seem that such an energy level would be sufficient to nullify the onset of entropy.

A living social system like the news room should then be characterized by negative rather than positive entropy.

But the findings of the present study indicate otherwise.

The reduction of uncertainty or entropy provides workers with a deceptively simple state that lies at the heart of organizational life: the ability to proceed.

In the absence of such a state, a worker is left frustrated and self-doubting. Motivation is low, and soon ceases to exist. Shortly thereafter, the worker seeks other employment, perhaps in another industry altogether.

This unfortunate scenario exists at many newspapers today. To counteract this condition, newspapers need to take stock of their internal communication states, not just for the individual journalist, but for the industry at large.

The Problem and Its Significance

The thrust of the present research attempts to address the following question: How much entropy exists in the news rooms of selected daily newspapers on specific variables of organizational communication?

Breed's (1955) work was a chapter from his dissertation titled "The Newspaperman, News and Society." He looked at the broad panorama of the news man's role in society, the question of what constitutes news, and how news judgment and editorial policies are communicated in the news room.

The present study, which focuses on levels of entropy in the news room, was part of a larger research project which investigated how satisfied professional journalists were the state of internal communication in their news rooms. Eight dimensions of organizational communication were involved in the original study (see appendixes). Five of those eight dimensions addressed the question of entropy. These dimensions comprise the present study.

According to the available literature, this is the first such study of its kind.

The present investigation comes at a time when newspaper companies are beginning to trade the telescope for a microscope to take a more introspective look at what they have to offer their employees.

The journal of the American Newspaper Publishers Association, Presstime (May 1989) reports an increase in the number of human resource audits conducted by newspapers.

Such audits gather information on how satisfied employees are with salaries, benefits, their working environment, and other organizational policies. But investigations of how satisfied professional journalists are with communication in their news rooms have been relatively nonexistent.

Communication in all its forms permeates all areas and levels of life. Used effectively, it is the glue that holds individuals, groups, organizations and countries together. Used poorly or not at all, it causes isolation, detachment, dissolution. Effective internal communication could be another way in which the newspaper industry maintains and strengthens its position in the mass communication marketplace.

Newspapers face an uphill battle in the competition with television to attract talented journalists. But intead of working to cultivate talented young journalists, it seems newspapers across the country are becoming so selective that potential journalists who might contribute significantly often aren´t getting past the front door.

One reason for the stringent hiring practices (Trayes, 1976) is the movement toward a more defined form of professionalism in the ranks of daily newspaper journalists. But these practices aimed at uplifting the profession could well be a contributing factor to the slow decline of daily newspapers.

According to News Inc. (1990), a magazine devoted to the business of newspapers, pioneering journalists like Horace Greeley, James Gordon Bennett, and Joseph Pulitzer (Emery and Emery, 1984) may not have made it past Knight-Ridder´s psychological tests.

At a time when hiring practices of newspapers across the country are becoming rigorous to the point of frustration not only in terms of tests but in requirements for prior experience, at a time when the number of daily newspapers nationwide is slowly decreasing, and at a time when more and more mass communication students are opting to take their chances with broadcast news and the electronic media (Becker and Engleman, 1988), it would seem that the newspaper industry needs to take a closer look at itself.

A good place to start is the news room and how the professional communicators communicate among themselves.

The aim of the present research then is to provide journalists, current and potential, with a more informed view of communication in the context of the news room, and to thereby increase the effectiveness of communicating in that complex, protean social system.

Implications of the study extend to the industry at large by providing a means by which newspaper executives can attract and retain talented journalists by creating a work climate that fosters encouragement and confidence rather than isolation and uncertainty.

Imitation and modeling, key components of social learning theory advanced by Dollard and Miller (1941), could be enhanced by the presence of a mentoring system at daily newspapers to help new recruits assimilate the news room culture faster, and to help the process run in an orderly rather than haphazard fashion.

The traditional attitude among daily newspapers has been "Let someone else train them. We don´t have the time or the money" (Katz, 1990). The consequences are that new reporters and other staff members often work with relatively little feedback, thus enhancing the presence of entropy.

The two most important predictors of job satisfaction for younger journalists are esteem for the job their organization is doing, that is, esteem for how well their newspaper achieves its goals and objectives, and feedback, primarily from supervisors (Weaver and Wilhoit, 1986).

The study also has implications for the academic community. Few newswriting textbooks currently in use deal with the element of communication in the news room (Harriss, Leiter and Johnson, 1985; Brooks, Kennedy, Moen and Ranly, 1988; Hohenberg, 1978).

By providing potential journalists with a more informed view of the environment they may soon be entering, they may be able to adjust faster and contribute more significantly to the newspaper, thereby increasing their chances for success in a highly competitive and rewarding field.

Research Questions

Five research questions guide the present study. These questions were generated from the organizational communication categories within the questionnaire that address the concept of entropy. These categories include receiving information, sending information, sources of information, follow-up on information sent, and channels of communication.

Research questions rather than hypotheses are used because of the lack of research in this area on which to build hypotheses. The method of social science suggests that in the absence of strong paradigms, research questions be formulated in the initial research phase.

According to the available literature and researchers in this field, this is the first time research of this type for this specific purpose has been done in the context of the daily newspaper news room.

The research questions are applied to responses from daily newspaper journalists employed at selected daily newspapers. All information generated by the data collection instrument, a modified version of the ICA (International Communication

Association) Communication Audit, is used and reported in statistical form, collectively, by newspaper, and by specific demographic groups.

The level of satisfaction that respondents cite is gauged by the Likert-scale type items in the questionnaire. Levels of satisfaction are based on the following scale: 1 = very little, 2 = - little, 3 = some, 4 = great, 5 = very great.

Statistical manipulations including mean, median, and mode, standard deviation, Pearson´s r, an uncertainty index, the t-test, and factor analysis were applied to the data.

For the present study, only the uncertainty index results will be presented in detail.

Research questions follow:

1) Which variables of organizational communication in the category of receiving information produce the highest levels of uncertainty among news room respondents?

2) Which variables of organizational communication in the category of sending information produce the highest levels of uncertainty among news room respondents?

3) Which sources of information produce the highest levels of uncertainty among news room respondents?

4) Which sources of information produce the highest levels of uncertainty among news room respondents regarding follow-up on information sent?

5) Which channels of organizational communication produce the highest levels of uncertainty among news room respondents?

Method

The purpose of the present study was to determine how much entropy exists among professional journalists at selected daily newspapers in particular categories of organizational communication. In order to ascertain levels of entropy, it was first necessary to determine how satisfied journalists are with internal communication in their respective news rooms.

Respondents Virtually all positions in the editorial departments of 11 purposively-selected daily newspapers in Eastern Pennsylvania were represented.

A tested and normed instrument, the ICA (International Communication Association) Communication Audit (see appendixes) was employed to determine journalists´ levels of satisfaction on 116 variables of organizational communication.

Newspapers were chosen based on the circulation category they occupied and on geographic location. The newspapers used in the study represented the circulation categories (see appendixes) that are most prevalent in the United States, according to Editor and Publisher Yearbook 1989.

Geographically, the newspapers are located in a concentrated region, Eastern Pennsylvania. This factor was used in the selection process because the instrument (the ICA Communication Audit) is said to produce the most reliable results when administered in a concentrated region (DeWine and James, 1988). (For map of region studied, see appendixes.)

Pennsylvania newspapers used in the study included the Allentown Morning Call, Bethlethem Globe-Times, Wilkes-Barre Citizens´ Voice, Doylestown Intelligencer, Hazleton Standard-Speaker, Lehighton Times-News, Norristown Times-Herald, Pottstown Mercury, Reading Times and Eagle, Scranton Times and Morning Times, and the Wilkes-Barre Times Leader. All are broadsheets except for the Citizens´ Voice, a tabloid.

Regionally, the Northeastern United States accounts for roughly 21 percent of the total journalistic work force, including print and broadcast media (Weaver and Wilhoit, 1986).

The Audit Instrument The ICA Communication Audit is a measurement system of instruments and procedures for studying organizational communication; it is a process of information gathering, analysis, and evaluation (Goldhaber and Rogers, 1979). The audit consists of five instruments in all. These include the questionnaire survey, interviews that are randomly or purposively selected, a network analysis, communication experience reports, and a communication diary.

Of the five available, the researcher used only the questionnaire survey and one communication experience form. The original ICA Audit included 134 items. The researcher modified the instrument based on recommendations by DeWine and James (1988) and to fit the newspaper environment resulting in a 116-item instrument, not including demographic variables.

Because of the length of the instrument, 11 pages, completion of the communication experience form was optional. This form asks the respondent to recall a recent communication experience relevant to ideas present in the questionnaire.

The survey is comprised of eight sections including receiving information, sending information, sources of information, timeliness of information received, follow-up needed on information sent, organizational communication relationships, organizational outcomes, and channels of communication. The average time of completion is 30 minutes.

For the present study, only the organizational communication dimensions of receiving, sending, sources, follow-up, and channels will be examined. These are the dimensions which provide current and ideal responses for each variable, and from which an uncertainty index can be calculated.

Both DeWine and James (1988) and Spiker (1979) substantiated and evaluated the ICA Communication Audit and found that it measures what it purports to measure, (content validity), and that the scores it generates for objects on variables are relatively stable across time, (reliability), (Kachigan, 1986).

DeWine and James (1988) reported applying the ICA Communication Audit to a city police department, a library staff, a university residence life staff, a physical plant staff, middle schools and high schools, state agencies, hospitals, clinics, and a restaurant chain, but no newspapers.

The present study marked the first time the ICA Communication Audit was applied in the newspaper setting for public research purposes.

Procedure The researcher´s first step was to contact each targeted newspaper to enlist cooperation. All 11 newspapers targeted agreed to participate. The researcher then made arrangements to deliver questionnaires. The number of questionnaires delivered was based on the number of editorial department members present at each newspaper.

A total of 550 questionnaires were distributed at the 11 newspapers. Each survey questionnaire was accompanied by a cover page which included instructions, a glossary of terms, and a self-addressed, stamped envelope.

Respondents were asked to complete the questionnaire at home so as not to take up company time and to insure the purity of individual responses. DeWine and James (1988) also suggested that a take-home survey might be more effective in gathering useful results because of comfortable, unhurried surroundings and relative privacy.

Upon completing the instrument, respondents were asked to mail the survey to the researcher. Responses were strictly voluntary. All responses were confidential.

The questionnaires were delivered on Jan. 18 and 19, 1990. Repondents had until Feb. 12, 1990, to return the completed questionnaires.

Some 141 of the 550 questionnaires were returned representing an N = 141 or 25.6 percent.

The newspapers used in the study yielded an excellent representation of journalists covering most if not all editorial department positions (see appendixes).

Because of the demographic representativeness of the respondents from the universe of United States journalists, generalizability can be approached (Rosenthal and Rosnow, 1975).

Uncertainty Index The uncertainty index represents the difference between the mean scores of current and ideal responses on organizational communication variables.

Responses in the "current" category represent journalists' perceptions of what is present at their newspaper "now." "Ideal" category responses indicate what journalists would like to be present. It asks for what they desire as an idealized state thus indicating how much communication is lacking on certain communication variables when compared with current states.

The higher the negative value on the uncertainty index, the greater the amount of entropy on a given internal communication variable because of information deficits. The greater the positive value, the greater the level of entropy because of information overloads. Generally, a score of -1 or +1 indicates a high degree of entropy.

The uncertainty index is a statistical application that is indigenous to the audit instrument.

Results

Receiving Information from Others

Research Question 1 The variable "Organizational decisions that affect my job" produced the highest level of uncertainty at -1.8. Alltold, seven pairs of vriables produced uncertainty indices of -1.0 or greater.

"Problems faced by management" also produced a high level of uncertainty at -1.5. Information on "chances for advancement" and "organizational policies" were other variables that produced high levels of uncertainty, -1.4 and -1.3, respectively.

"Editorial policies" produced an uncertainty index of -1.2. This aligns with Breed's 1955 work on "Social Control in the News Room." Breed asserted that editorial policy exists in a "gray area" of tacit understanding and is not readily known by or accessible to editorial department workers.

Acquisition of knowledge on this variable, Breed said, came as a result of "osmosis" or the steady accrual of bits of information about a given newspaper culture based on experiential learning. This type of learning still occurs in most news rooms today (Katz, 1990).

The variable involving feedback on "job performance" produced a fairly high uncertainty index at -.9. Weaver and and Wilhoit (1986) reported that feedback from superiors is a primary motivating factor for younger journalists. Organizational constraints of time and deadlines often make substantive feedback difficult to present (Johnstone, 1976). See Table 1 on the next page.

TABLE 1

Uncertainty Index on Receiving Information from Others

Item	N	(C) M	(I) M	UI
1. (C)/2. (I) Job performance.	141	2.6	3.5	-.9
3. (C)/4. (I) Job duties.	141	2.9	3.5	-.6
5. (C)/6. (I) Org. policies.	141	2.4	3.7	-1.3
7. (C)/8. (I) Editorial policies.	141	2.5	3.7	-1.2
9. (C)/10. (I) Tech. changes.	141	2.1	3.1	-1.0
11. (C)/12. (I) Org. mistakes.	141	2.5	3.6	-.9
13. (C)/14. (I) Org. decisions.	141	1.9	3.7	-1.8
15. (C)/16. (I) Org. mobility.	141	2.1	3.5	-1.4
17. (C)/18. (I) New programs.	141	2.4	3.6	-1.2
19. (C)/20. (I) Org. operation.	141	2.7	3.5	-.8
21. (C)/22. (I) Org. problems.	141	1.9	3.4	-1.5

C = Current (amount of information received now).
I = Ideal (amount of information needed).

NOTE: The uncertainty index is calculated by subtracting the mean score for the amount of information received now (current) from the mean score for the amount of information needed (ideal). The higher the negative value, the greater the level of uncertainty.

NOTE: Mean scores for each item derived from the following scale: 1 = very little, 2 = little, 3 = some, 4 = great, 5 = very great.

Sending Information to Others

Research Question 2 The variable "evaluating the performance of my immediate supervisor" produced the highest level of uncertainty in this section of the instrument, -1.1.

The importance of this result is underscored by Cusella's (1982) work in which the perceptions of subordinates about their supervisors was found to have an effect on the subordinates' levels of motivation to complete their assigned tasks in a skillful manner.

Cusella reported that subordinates who perceived their supervisor as an expert in his field attached greater import to feedback from said supervisor, and were motivated to perform their work at a high level.

The level of uncertainty present on the variable "evaluating the performance of my immediate supervisor" indicates that intrinsic motivation among respondents may not be as high as it could be because of their perceptions about their supervisor.

Noteworthy variables included "reporting job-related problems" and "complaining about my job or working conditions," which produced uncertainty indexes of -.7 and -.6, repectively.

All other items in this section were below -1.0. For results on all items in this section of the questionnaire, see Table 2.

TABLE 2

Uncertainty Index on Sending Information to Others

Items	N	(C) M	(I) M	UI
23. (C)/24. (I) Current projects.	141	3.1	3.5	-.4
25. (C)/26. (I) Job duties.	141	2.9	3.3	-.4
27. (C)/28. (I) Job problems.	141	2.8	3.5	-.7
29. (C)/30. (I) Complaints.	141	2.2	2.8	-.6
31. (C)/32. (I) Request info.	141	3.1	3.5	-.4
33. (C)/34. (I) Discuss super.	141	1.8	2.9	-1.1
35. (C)/36. (I) Ask instructions.	141	2.5	2.9	-.4

C = Current (amount of information sent now).
I = Ideal (amount of information that needs to be sent).

Scale: 1 = very little, 2 = little, 3 = some, 4 great,
5 = very great.

Sources of Information

Research Question 3 The variable "top management" produced the highest level of uncertainty at -1.6.

"Department meetings," (-1.5), "formal management presentations," (-1.4), and "middle management," (-1.3), also produced high levels of uncertainty on this dimension of organizational communication.

Also noteworthy was the variable "the grapevine." This was the only variable in the questionnaire that produced a positive uncertainty value, indicating an information overload. The index on "grapevine" was .5.

Uncertainty was relatively low among "co-workers," (-.3), and "subordinates," (-.6).

For complete results on all items in this section, see Table 3 on the next page.

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TABLE 3

Uncertainty Index on Sources of Information

Items	N	(C) M	(I) M	UI
37. (C)/38. (I) Subordinates.	54	3.0	3.6	-.6
39. (C)/40. (I) My co-workers.	141	3.3	3.6	-.3
41. (C)/42. (I) Other workers.	141	2.1	2.9	-.8
43. (C)/44. (I) Supervisor.	141	2.9	3.8	-.9
45. (C)/46. (I) Dept. meetings.	141	2.0	3.5	-1.5
47. (C)/48. (I) Mid-management.	141	2.1	3.4	-1.3
49. (C)/50. (I) Presentations.	141	1.7	3.1	-1.4
51. (C)/52. (I) Top management.	141	1.7	3.3	-1.6
53. (C)/54. (I) Grapevine.	141	3.6	3.1	.5

C = Current (amount of information received now).
I = Ideal (amount of information needed).

Scale: 1 = very little, 2 = little, 3 = some, 4 = great,
5 = very great

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Follow-up on Information Sent

Research Question 4 "Top management" produced the highest degree of uncertainty, -1.1. "Immediate supervisor" and "middle management" each produced a -.9 index. For complete results, see Table 4 below.

TABLE 4

Uncertainty Index on Follow-up on Information Sent

Items	N	(C) M	(I) M	UI
61. (C)/62. (I) Subordinates.	54	3.1	3.6	-.5
63. (C)/64. (I) Co-workers.	141	3.1	3.5	-.4
65. (C)/66. (I) Supervisor.	141	2.9	3.8	-.9
67. (C)/68. (I) Mid-management.	141	2.4	3.3	-.9
69. (C)/70. (I) Top management.	141	2.1	3.2	-1.1

C = Current (amount of follow-up now).
I = Ideal (amount of follow-up needed).

Scale: 1 = very little, 2 = little, 3 = some, 4 = great,
5 = very great

Channels of Communication

Research Question 5 None of the variables in this section of the instrument produced a high level of uncertainty.

"Face-to-face contact with one other person," or dyadic communication, yielded a -.6, and "face-to-face contact with more than one other person," small group communication, produced an index of -.7.

The "telephone," (-.2), "computers,´ (-.3), and "memos," (-.3), all had among the lowest levels of uncertainty. "Bulletin boards" presented no uncertainty. For results on all variables in this section, see Table 5 below.

TABLE 5

Uncertainty Index on Channels of Communication:

Items	N	(C) M	(I) M	UI
97. (C)/98. (I) Dyadic.	141	3.4	4.0	-.6
99. (C)/100. (I) Group.	141	3.0	3.7	-.7
101. (C)/102. (I) Telephone.	141	2.7	2.9	-.2
103. (C)/104. (I) Computers.	141	2.7	3.0	-.3
105. (C)/106. (I) Memos.	141	2.7	3.0	-.3
107. (C)/108. (I) Bulletin boards.	141	3.0	3.0	0.0
109. (C)/110. (I) Internal pub.	141	2.2	2.7	-.5
111. (C)/112. (I) Internal a-v.	141	1.2	1.8	-.6
113. (C)/114. (I) External pub.	141	2.7	3.2	-.5
115. (C)/116. (I) External a-v.	141	2.0	2.4	-.4

C = Current (amount of information received now).
I = Ideal (amount of information I need to receive).

Scale: 1 = very little, 2 = little, 3 = some, 4 = great,
5 = very great

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Management and Nonmanagement Employees

Statistics were also calculated among specified demographic groups. Among these groups, management (n = 54) and nonmanagement (n = 87) were distinguished. Because of their relevance to the present study, results from these demographic groups are reported herein.

With a high degree of consistency, mean scores between management and nonmangement on internal communication variables were similar with variations of .2 or less. In many cases, mean scores were identical.

Accordingly, levels of entropy did not differ greatly among these two demographic groups. The implication is that for respondents in the present study, internal communication problems are perceived in a similar fashion at all levels of the newspaper, regardless of position in the organizational hierarchy.

Paired Two-Tailed T-Test Results

The researcher ran a paired t-test of significance for all sections of the questionnaire which included "current" and "ideal" scores. These sections included receiving, sending, sources, follow-up, and channels of communication, which comprised the sections from which the uncertainty indexes were calculated.

All 42 pairs of responses were found to be significant. Forty of the pairs (95.2 percent) were significant at the .001 level or less than .001, ($p = .001$; $p = <.001$).

Only two pairs of variables, both from the channels of communication section, produced lower levels of significance. The variable "telephone" was significant at less than .05, ($p = <.05$), and the variable "bulletin boards" was significant at less than .5, ($p = <.5$).

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Discussion/Suggestions for Further Research

Results from the uncertainty index indicate that current internal communication states at selected daily newspapers leave much to be desired on most dimensions of organizational communication. Accordingly, levels of entropy are higher than they should be in a context in which communication is the means and the end. The question arises though: how important is such a situation if organizational goals are being met?

Argyris (1974) studied a metropolitan newspaper, The New York Times, for an entire year and discovered several sociological and psychological factors that were dysfunctional for the individual but somehow functional for the organization.

But even if the individual subordinates himself or herself to the organization, communication is vital to keeping organization members motivated and working in concert toward a common goal.

In his landmark work, Korzybski (1948) asserted that the mental health of an individual is highly related to that individual's ability to communicate effectively within his environment. An analogous relationship exists within the framework of the organization. An organization can be only as strong as its weakest link; the more weak links, the weaker the organization. The reality of complex organizations (Etzioni, 1961) is that communication provides the linkages to keep the interdependent parts working in a synchronized and symbiotic manner.

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In an organization such as a daily newspaper, which depends on communication and in fact creates it as a product, any short in the overall communication circuit can be disastrous to the organization at large. Individuals who comprise the organization base their perceptions of their work environment largely on internal communication, both instrumental (task-oriented) and relational (morale-oriented) (Etzioni, 1961).

This raises still another question about whether poor internal communication is a symptom of the larger problem involving disagreements between management and nonmanagement, or if it is the cause of such discord.

Korzybski´s work would suggest that poor internal communication may be the cause of underlying management and nonmanagment struggles. It has been axiomatic in the business world that a certain amount of resentment and dissatisfaction will exist between management and nonmanagement, but such a situation does not have to exist to the extent that it does in some organizations, such that the organization becomes an unhealthy place to be.

As stated, levels of uncertainty or entropy were generally high on many organizational communication variables at selected newspapers in the present study. Part of the reason for this, aside from individual predilections and resultant work climates, may be the linear nature of the newspaper business, which is predicated on considerations of time, space, and production within a highly specified framework.

The present research therefore supports the notion that because of the nature of the newspaper business, overall internal communication satisfaction may be hard to come by for the individual in the news room, but it is not an unreachable goal.

Recommendations for Further Research One way to attain this goal may be to close the gap that exists between management and nonmanagement at newspapers.

Recent studies in other areas of industry conclude that substantive feedback from management at all levels is frequently absent, thus increasing levels of entropy in an employee who seeks only to know how well he or she is doing (Clampitt, 1991).

The present study showed that top management (including executive editors and publishers) at selected newspapers was the source that provided the least information to workers. Also, the highest levels of entropy were discovered among employees on this variable.

In an increasingly technological and complex industrial environment such as the daily newspaper news room, the responsibility of managers to bridge the gap between the work of the organization and the skills of the employee becomes greater with each passing year.

Managers must create a relationship between employees and the organization that encourages subordiantes to expend energy willingly toward achieving the goals of the organization (Thomas, 1990; Steers and Porter, 1991). A manager's ability to motivate is pivotal to success.

To what degree are managers comfortable with their positions in the newspaper hierarchy, and what makes a good manager in professional journalism, whether at the top rung or in the middle? Much of McClelland's (1982) work in organizational psychology has attempted to answer these questions from a general work environment standpoint.

Communication reseachers should take up that mantle and carry it to the news rooms of daily newspapers. How does this work environment, and the people within it (situational determinants) affect types of managers, and what management style is most effective in such an environment?

Do the personalities within the news room shape its culture, or is news room culture created from the interaction of the peculiar mixture of people and talents within it (Schein, 1985)?

If there is a stereotypical editor, is there a stereotypical news room culture (Schein, 1978, 1971), a set of patterns for behavior, a type of mind set indigenous to the industry?

The results of the present study seem to suggest that despite structural and personnel differences, some similarities exist in the way respondent daily newspaper journalists perceive the internal communication within their work environments.

This leads to the conclusion that for most newspapers in the present study, a strong news room culture that exists molds the individual more than the individual shapes it.

Further study in this area might attempt to identify the key components of the news room culture, cause-effect relationships on how it arises, and what its effects are to the individuals within it.

Another step might be to locate a newspaper whose editorial personnel *are* satisfied with internal communication at their organization. By studying the editorial department of such a newspaper in the manner of Argyris (1974), the causal factors that contribute to the condition of satisfaction might be identified and thus emulated by other news rooms.

Finally, the ability to communicate and cooperate in an organizational setting could be assessed as a precursor to gaining employment at a newspaper.

Newspapers might incorporate into the battery of tests they already administer to prospective applicants one which could gauge how well one communicates in an organizational setting.

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APPENDIXES

(Listed in the order mentioned in text.)

- ICA Communication Audit Questionnaire
- Circulation and Personnel Complements of Newspapers Studied
- Map of Pennsylvania Showing Counties of Newspapers Studied
- Editorial Department Positions Represented by Respondents

Introduction

WHAT IS THIS AND WHAT DOES IT DO? -- This is a modified version of the ICA (International Communication Association) Communication Audit. Its purpose is to measure your perceptions of how well you and your colleagues communicate with each other within your newspaper organization. Your basis for responding is simply what you believe to be true about communications within your work environment. This survey helps to identify problems that may exist, and potential solutions.

WHO IS ELIGIBLE TO TAKE THE SURVEY? -- All full-time editorial department personnel.

WHY IS IT HERE? -- The survey is presented to you as a means of gathering information for journalism research being done in connection with Temple University. Your newspaper was selected based on circulation and geographic location.

DO I HAVE TO PUT MY NAME ON THE SURVEY? -- No. All participants are guaranteed confidentiality. No individual results will be reported.

WILL PARTICIPANTS GET TO SEE THE RESULTS? -- Yes. Several Pa. newspapers are participating in this survey. Collective results for each newspaper will be sent to the individual newspapers. Total results from all newspapers surveyed will be provided for comparison. No newspaper will be identified by name.

WHERE DO I COMPLETE THE SURVEY? -- At home. This is to get the purest responses possible, and so that I don't cut into your work schedule. I've attached a stamped, addressed envelope to your survey. When you've completed it, just drop it in the nearest mail box. Please mail it by FEB. 12.

WHY SHOULD I DO THIS? -- Your newspaper kindly agreed to take part in the research, but you as an individual are under no obligation. The more journalists who complete the survey, however, the more useful the results. So why should you do this? To provide information that will help better prepare the next generation of reporters and editors, and to possibly enrich the quality of your own work environment.

THANK YOU -- I worked on Pennsylvania newspapers for seven years, so I have an idea of how busy you are. That's why I'd like to thank you for taking the time to complete this survey. If you have any questions, please call me, Michael A. Incitti, at Wilkes University, Communications Department, where I teach journalism: 1-800-572-4444, ext. 4167.

Newspaper ____

QUESTIONNAIRE SURVEY

by

The International Communication Association

DIRECTIONS: Please mark all your responses on this questionnaire. You may use pen or pencil. Clearly circle the number that represents your response. If, for example, in item 1. you receive a great amount of information on that topic, you would circle number 4. Be sure to erase any stray pencil marks. Please answer all questions. I appreciate your patience for this important survey.

PLEASE MARK ONLY ONE RESPONSE TO EACH QUESTION

Definition of terms: You may find the following definitions useful as you take this survey.

Co-workers -- Those editorial department employees occupying the same or similar position as a given respondent. E.g., a reporter would classify other reporters as co-workers.

Editorial policies -- A newspaper's particular orientation, slant or treatment applied to certain story types or issues based on the newspaper's political leanings, the publisher's affiliations, or the national representative of the company.

"Grapevine" -- Informal communication that takes place within the organization. A conversation among co-workers around the water cooler is an example of grapevine communication.

Immediate supervisor -- (From the point of view of subordinates) city editors, regional editors, desk editors, department editors.

Middle management -- (From the point of view of top management and subordinates) city editors, assistant city editors, department editors, assistant managing editors.

Organizational policies -- Pay plans, benefit packages, evaluation procedures.

Overall communicative efforts -- All communication efforts within the organization aimed at keeping its employees informed about the environment in which they work, or aimed at helping them perform their tasks in a more efficient manner.

Subordinates -- Reporters, copy editors, and other personnel whose work is supervised.

Top management -- Managing editors, editorial page editors, executive editors, publishers.

DEMOGRAPHICS

Directions: Circle the response that applies to you, or respond in writing as requested.

1. Are you: A. Male B. Female

2. How old are you? A. under 20 B. 21-24 C. 25-34
D. 35-44 E. 45-54 F. 55-64 G. over 65

3. What is your race? A. White B. Black C. Hispanic
D. Asian E. Other (specify) ___________

4. What is your exact job title/position on this newspaper?

____

5. How long have you worked at this newspaper?

A. under 1 year B. 1-5 C. 6-10 D. 11-15 E. over 15

6. How long have you worked in the newspaper industry?

A. under 1 year B. 1-5 C. 6-10 D. 11-15 E. over 15

7. What shift do you work? A. Day B. Night

8. Are you in the main office or a bureau? A. Main B. Bureau

9. Please fill in the following re educational history.

A. Highest level completed: ___________________________
B. If college grad, degree/s held: ______________________
C. College/s or university/s attended: __________________
D. Major area/s of study: ____________________________
E. Minor area/s of study: ____________________________

10. How much money did you receive from your newspaper last year?

A. under $10,000 B. $10,001-15,000 C. $15,001-20,000
D. $20,001-25,000 E. $25,001-35,000 F. $35,001-45,000
G. $45,001-55,000 H. $55,001-65,000 I. over $65,000

11. During the past 10 years, in how many other newspaper organizations have you been employed?

A. none B. one C. two D. three E. four F. five or more

12. a. Are you currently looking for another job in a different newspaper organization? b. In another field altogether?

a. A. Yes B. No b. A. Yes B. No

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Receiving Information from Others

Directions for items 1-22:

You can receive information about various topics in your organization. For each topic listed below circle the response that best indicates: (1) the amount of information you are receiving on that topic and (2) the amount of information you need to receive on that topic in order to do your job.

		This is the amount of information I receive now						*This is the amount of information I need to receive*				
Topic Area:		Very Little	Little	Some	Great	Very Great		Very Little	Little	Some	Great	Very Great
How well I am doing in my job.	1.	1	2	3	4	5	2.	1	2	3	4	5
My job duties.	3.	1	2	3	4	5	4.	1	2	3	4	5
Organizational policies.	5.	1	2	3	4	5	6.	1	2	3	4	5
Editorial policies.	7.	1	2	3	4	5	8.	1	2	3	4	5
How technological changes affect my job.	9.	1	2	3	4	5	10.	1	2	3	4	5
Mistakes and failures of my newspaper.	11.	1	2	3	4	5	12.	1	2	3	4	5
How organizational decisions are made that affect my job.	13.	1	2	3	4	5	14.	1	2	3	4	5
Promotion and advancement opportunities at my newspaper.	15.	1	2	3	4	5	16.	1	2	3	4	5
New product, service or program developments at my newspaper.	17.	1	2	3	4	5	18.	1	2	3	4	5
How my job relates to the total operation of my newspaper.	19.	1	2	3	4	5	20.	1	2	3	4	5
Specific problems faced by management.	21.	1	2	3	4	5	22.	1	2	3	4	5

Sending Information to Others

Directions for items 23-36:

In addition to receiving information, there are many topics on which you can send information to others. For each topic listed below, circle the response that best indicates: (1) the amount of information you are sending on that topic and (2) the amount of information you need to send on that topic in order to do your job.

		This is the amount of information I send now						*This is the amount of information I need to send now*				
Topic Area:		Very Little	Little	Some	Great	Very Great		Very Little	Little	Some	Great	Very Great
Reporting what I am doing in my job.	23.	1	2	3	4	5	24.	1	2	3	4	5
Reporting what I think my job requires me to do.	25.	1	2	3	4	5	26.	1	2	3	4	5
Reporting job-related problems.	27.	1	2	3	4	5	28.	1	2	3	4	5
Complaining about my job or working conditions.	29.	1	2	3	4	5	30.	1	2	3	4	5
Requesting information I need to do my job.	31.	1	2	3	4	5	32.	1	2	3	4	5
Evaluating the performance of my immediate supervisor.	33.	1	2	3	4	5	34.	1	2	3	4	5
Asking for clearer work instructions.	35.	1	2	3	4	5	36.	1	2	3	4	5

Sources of Information

Directions for items 37-54:

You not only receive various kinds of information, but can receive such information from various sources within the organization. For each source listed below, circle the response that best indicates: (1) the amount of information you are receiving from that source and (2) the amount of information you need to receive from that source in order to do your job.

	This is the amount of information I receive now						*This is the amount of information I need to receive*					
Sources of Information:		Very Little	Little	Some	Great	Very Great		Very Little	Little	Some	Great	Very Great
Subordinates (if applicable).	37.	1	2	3	4	5	38.	1	2	3	4	5
Co-workers in my own unit or department.	39.	1	2	3	4	5	40.	1	2	3	4	5
Individuals in other units or departments at my newspaper.	41.	1	2	3	4	5	42.	1	2	3	4	5
Immediate supervisor.	43.	1	2	3	4	5	44.	1	2	3	4	5
Department meetings.	45.	1	2	3	4	5	46.	1	2	3	4	5
Middle management.	47.	1	2	3	4	5	48.	1	2	3	4	5
Formal management presentations.	49.	1	2	3	4	5	50.	1	2	3	4	5
Top management.	51.	1	2	3	4	5	52.	1	2	3	4	5
The "grapevine."	53.	1	2	3	4	5	54.	1	2	3	4	5

Timeliness of Information Received from Key Sources

Directions for items 55-60:

Indicate the extent to which information from the following sources is usually timely (you get information when you need it -- not too early, not too late).

		Very Little	Little	Some	Great	Very Great
Subordinates (if applicable)	55.	1	2	3	4	5
Co-workers	56.	1	2	3	4	5
Immediate supervisor	57.	1	2	3	4	5
Middle management	58.	1	2	3	4	5
Top management	59.	1	2	3	4	5
"Grapevine"	60.	1	2	3	4	5

Follow-up on Information Sent

Directions for items 61-70:

Indicate the amount of action or follow-up that is and needs to be taken on information you send to the following:

		This is the amount of follow-up now						*This is the amount of follow-up needed*				
		Very Little	Little	Some	Great	Very Great		Very Little	Little	Some	Great	Very Great
Subordinates	61.	1	2	3	4	5	62.	1	2	3	4	5
Co-workers	63.	1	2	3	4	5	64.	1	2	3	4	5
Immediate supervisor	65.	1	2	3	4	5	66.	1	2	3	4	5
Middle management	67.	1	2	3	4	5	68.	1	2	3	4	5
Top management	69.	1	2	3	4	5	70.	1	2	3	4	5

Channels of Communication

Directions for items 97-116:

The following questions list a variety of channels through which information is transmitted to employees. Please circle the response which best indicates: (1) the amount of information you are receiving through that channel and (2) the amount of information you need to receive through that channel.

	This is the amount of information I receive now						*This is the amount of information I need to receive*					
Channel:		Very Little	Little	Some	Great	Very Great		Very Little	Little	Some	Great	Very Great
Face-to-face contact between two people.	97.	1	2	3	4	5	98.	1	2	3	4	5
Face-to-face contact among more than two people.	99.	1	2	3	4	5	100.	1	2	3	4	5
Telephone	101.	1	2	3	4	5	102.	1	2	3	4	5
Computers (VDTs)	103.	1	2	3	4	5	104.	1	2	3	4	5
Written (memos, letters)	105.	1	2	3	4	5	106.	1	2	3	4	5
Bulletin boards	107.	1	2	3	4	5	108.	1	2	3	4	5
Internal publications (newsletters, company magazines)	109.	1	2	3	4	5	110.	1	2	3	4	5
Internal audio-visual media (videotapes, films, slides)	111.	1	2	3	4	5	112.	1	2	3	4	5
External publications (other newspapers, magazines)	113.	1	2	3	4	5	114.	1	2	3	4	5
External audio-visial media (television, radio, film)	115.	1	2	3	4	5	116.	1	2	3	4	5

Organizational Outcomes

Directions for items 84-96:

One of the most important "outcomes" of working in an organization is the satisfaction one receives or fails to receive through working there. Such "satisfaction" can relate to the job, one's co-workers, supervsior, or the organization as a whole. Please circle the response which best indicates the extent to which you are satisfied with:

Outcome:		Very Little	Little	Some	Great	Very Great
My job.	84.	1	2	3	4	5
My pay.	85.	1	2	3	4	5
My progress on my newspaper to date.	86.	1	2	3	4	5
My chances for getting ahead at my newspaper.	87.	1	2	3	4	5
My opportunity to "make a difference," to contribute to the overall success of my newspaper.	88.	1	2	3	4	5
My newspaper's system for recognizing and rewarding outstanding performance.	89.	1	2	3	4	5
My newspaper's overall internal communication efforts.	90.	1	2	3	4	5
Working at my newspaper.	91.	1	2	3	4	5
My newspaper, as compared to other such newspapers.	92.	1	2	3	4	5
My newspaper's overall efficiency of operation.	93.	1	2	3	4	5
The overall quality of my newspaper.	94.	1	2	3	4	5
My newspaper's achievement of its goals and objectives.	95.	1	2	3	4	5
My understanding of my newspaper's editorial policy.	96.	1	2	3	4	5

Organizational Communication Relationships

Directions for items 71-83:

A variety of communicative relationships exist in organizations like your own. Employees exchange messages regularly with supervisors, subordinates, co-workers, and other organization members. Considering your relationships with others in your organization, please circle the response which best describes the relationship in question.

Relationship:		Very Little	Little	Some	Great	Very Great
I trust my co-workers.	71.	1	2	3	4	5
My co-workers get along with each other.	72.	1	2	3	4	5
My relationship with my co-workers is satisfying.	73.	1	2	3	4	5
I trust my immediate supervisor.	74.	1	2	3	4	5
My immediate supervisor listens to me.	75.	1	2	3	4	5
My immediate supervisor gives me feedback on my work.	76.	1	2	3	4	5
My relationship with my immediate supervisor is satisfying.	77.	1	2	3	4	5
I trust top management.	78.	1	2	3	4	5
Top management is sincere in their efforts to communicate with employees.	79.	1	2	3	4	5
My relationship with top management is satisfying.	80.	1	2	3	4	5
I have a say in decisions that affect my job.	81.	1	2	3	4	5
I influence operations in my unit or department.	82.	1	2	3	4	5
I have a part in accomplishing my organization's goals.	83.	1	2	3	4	5

ICA COMMUNICATION AUDIT COMMUNICATION EXPERIENCE FORM

(Optional)

I. While you were filling out the survey, the questions may have brought to mind a recent work-related experience of yours in which communication was particularly effective or ineffective. Please answer the questions below and give a summary of that experience.

II. If there is no communication experience you care to write about, you may use the space below to write any comments you have about the quality of communication at your newspaper, and how communication could be improved.

Option I:

A. To whom does this experience primarily relate?

1. Subordinate 2. Co-worker 3. Immediate supervisor
4. Middle management 5. Top management

B. Please rate the quality of that communication. (circle one)

1. Effective 2. Ineffective

C. To what section of the survey does this experience primarily relate? ______________________________

Describe the communication experience below, including the circumstances leading up to it, what that person did or did not do to make him/her an effective/ineffecive communicator, and the results or outcomes of that communication experience. Please print. You may also use the back of the page. Thank you.

Circulation and Personnel Statistics on Eastern Pennsylvania Newspapers Studied

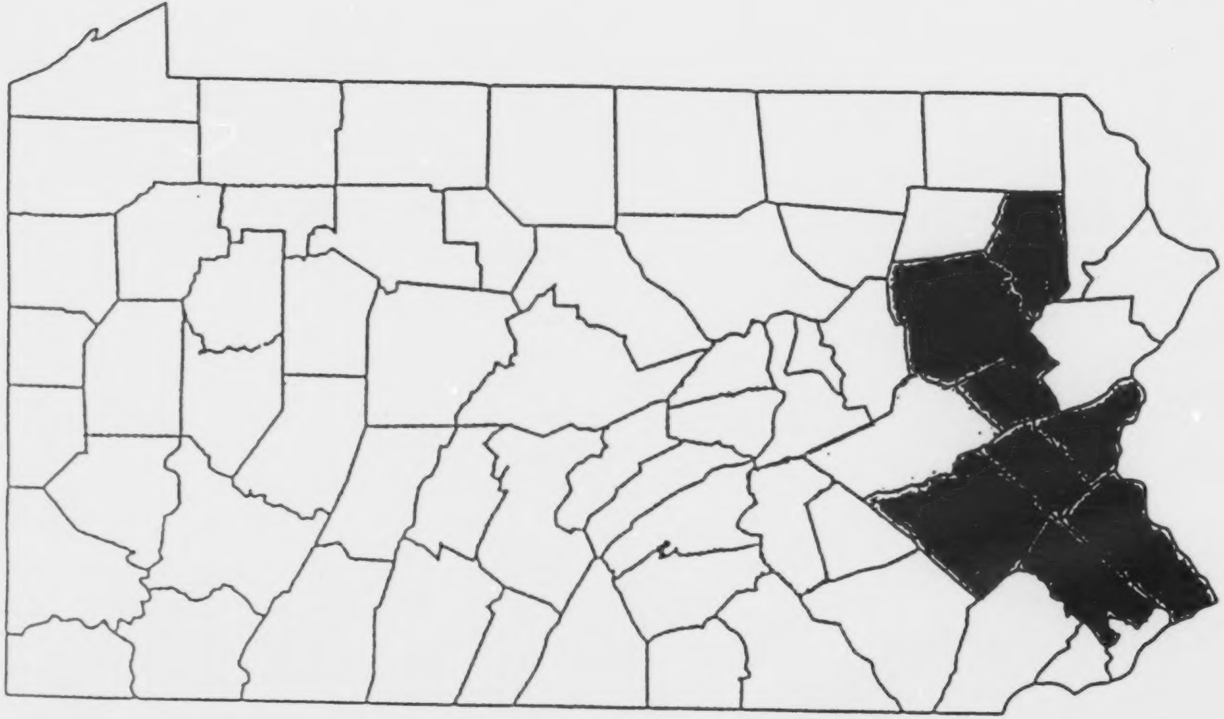
Newspaper	Daily Circ.	Sun. Circ.	# Personnel*
Allentown	136,254	180,030	100
Bethlehem	21,084		30
Citizens' Voice	48,199		30
Doylestown	40,922	44,209	60
Hazleton	24,691		30
Lehighton	16,897		20
Norristown	29,686		30
Pottstown	28,885	29,014	25
Reading Times	45,931		115
Reading Eagle	33,365	111,638	-
Scranton Times	54,217	62,037	50
Scranton M. Times	16,237		-
W-B Times Leader	46,772	49,044	60
Totals:	543,140	475,972	550

Total combined circulation for daily and Sunday newspapers published by the organizations surveyed: 1,019,112.

* The number of full-time personnel within each editorial department was based on estimates by publishers, editors, managing editors, general managers, or city editors, all of whom acted as contacts at the newspapers surveyed. Editor and Publisher gave insight into the number of subdivisions within each editorial department. The number indicated is the amount of questionnaires that were distributed to individual newspapers yielding a potential N = 550.

Source: Editor and Publisher Yearbook, 1989

FIGURE 1



The State of Pennsylvania

(The shaded area represents the counties in which newspapers studied are located.)

985

Aggregate of News Room Job Titles Represented by Respondents

Job Title	Total	Percent*
Reporter	57	40.4
Copy Editor	14	9.9
Sports Writer	12	8.5
Photographer	7	5.0
Managing Editor	6	4.3
City Editor	4	2.8
Editor	3	2.1
Lifestyle Editor	3	2.1
Editorial Writer	3	2.1
Assistant Sports Editor	3	2.1
Sports Editor	2	1.4
Feature Editor	2	1.4
Special Editions Editor	2	1.4
Information Systems Editor	2	1.4
Associate Editor	2	1.4
Editorial Assistant	2	1.4
Editorial Page Editor	1	.7
Night Editor	1	.7
Wire Editor	1	.7
Copy Desk Chief	1	.7
Assistant Managing Editor	1	.7
Assistant City Editor	1	.7
Assistant Lifestyle Editor	1	.7
Photography Editor	1	.7
Layout Editor	1	.7
Regional Editor	1	.7
Business Page Editor	1	.7
Suburban Editor	1	.7
Assistant Editor	1	.7
Agriculture Editor	1	.7
Travel Writer	1	.7
Cartoonist	1	.7
Librarian	1	.7
33 News Room Job Titles	N = 141	100 %

* For those positions represented by 1, 2, or 3 respondents, divide 1, 2 or 3 by 141, then multiply the exact amount extending to four decimal places by the number of positions represented by 1, 2 or 3 respondents, respectively. Calculation of this type will account for 100 percent of the job titles.

We Are the World: Narcissism and Global Solidarity

By

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We Are the World: Narcissism and Global Solidarity

Abstract

This study analyzes the personal and social consequences of electronic media, namely, the narcissistic sensations and the global solidary responses created. This study also examines the political implications of the audience's pleasure seeking activities.

The sights and sounds and ever-moving images of the electronic media favor the use of expressive communication and discourage referential discourse. The power of electronic media is located in its ability to arouse emotions, and evoke sensations, and not to transmit facts and ideas. Consuming electronic media products, isolated individuals are able to indulge in private pleasurable sensations. Electronic media thus promote narcissism.

Electronic media are able to provide a wide distribution of identical bits of information around the world. Human experiences are accelerated to the global level via electronic media. The TV coverage of the Tiananmen Square massacre in Bejing and the earthquake in San Francisco captured the sympathy of the people around the world, and constructed a form of global solidarity in the emotional realm.

The expressive bias of electronic media promotes an asymmetrical relationship between the performers and the audience. The submission of narcissistic audience members and the exploitation of expressive communication by the performers constitute threats to the operation of democratic political structure.

We Are the World: Narcissism and Global Solidarity

Georg Simmel (1971) in his study of the individual and the group noted the correlation between individual differentiation and the expansion of social circles. He maintained that the wider the social circles in which individuals participated, the greater would be their individual differences. This correlation appears in the history of information technologies. Among primitive tribes, the individuals show marked similarity and strongly united in small social groups. "Literacy takes a man out of his collective tribal world and beaches him in individual isolation" (McLuhan, 1965:20). With the emergence of literacy, the differentiation between the informed and the uninformed was magnified. Literate technologies facilitate the accumulation and retention of larger amount of information. On the one hand, the growth brought about a further differentiation within the group, and on the other hand more contact with other groups.

Printing liberated a literate individual from the existing social circles. Prior to print, the literate elite of societies constituted a distinctive social circle. Print media transformed and extended the social circles. Subscription lists and corresponding societies represented relatively impersonal group formations (Eisenstein, 1983). With the advent of print media, individuals' links to larger and distant collective units were forged. Vicarious attendance in more distant events was also made possible via printed material. Individuals were not only further differentiated, but also linked in new ways by these more impersonal channels of communication.

However, Simmel also indicated that if the social circle had become so large that direct personal contact became difficult, then there remained only an unrestrained individual egoism and ruthless self-assertion. In recent years, advocates of the narcissism thesis claim that everyone is becoming more self centered, altruism and collective concerns have gone by the wayside. The "me" generation has arrived (Lasch, 1979; Morgenthau and Person, 1978; Aronowitz, 1980). As electronic media accelerate the circle of communication to the global level and render personal contact as unimportant, Simmel's statement offers us a guide toward an understanding of the correlation between contemporary narcissistic personalities and electronic media.

Interest in self gratification has a far more ancient past than electronic communication. But electronic media, especially electronic entertainment machines, provide self gratification almost effortlessly for nearly everyone at any time. Individuals who do not know how to read can stay at home, plop down in front of the TV set and be gratified. They can acquire gratifying experiences with ease. Also, the immmediate availability of electronic entertainment provides the audience with instant pleasure. The 24-hour music television enables individuals to rock around the clock. Moreover, electronic media enables individuals to de-emphasize social interaction and self disclosure; it promotes private emotional gratification. Television and radio programs often may be experienced in the presence of immediate others, but recent developments in electronic technology--for instance, the Walkman stereo, video recorders, pocked-sized TVs, etc.--enhance users' autonomy and privacy. Isolated individuals are thus able to bask in private experiences and enjoy visceral sensations.

In contrast to the narcissism thesis, McLuhan (1962; 1965), as part of his global village thesis, put forth the assertion that the world has become a neighborhood. Advocates of the global village thesis claim transnational empathy is greater than ever; that collective concerns now pervade human consciousness. This increased transnational empathy can be illustrated by the USA for Africa--(United Support of Artists for Africa)--campaign launched in April, 1985. In response to African famine, 45 of America's pop stars raised their voices to help Africa's hunger in a song "We are the World." The song, which was labeled as "an anthem for a new age of giving" (Life, April, 1985), generated a widespread emotional solidary response. The campaign generated more than $50 million for Africa's famine.

Electronic entertainment, for instance, elicits worldwide visceral sensations. Elvis Presley's live televised performance via international satellite in the 70s provided instant emotional links among audiences in America, Europe, and Asia. The response to Michael Jackson's hit songs and accompanying dances constitute a form of global solidarity in the emotional realm. Through TV coverage, the Tiananmen Square massacre in Beijing and the earthquake in San Francisco captured the sympathy of the people around the world. Electronic media thus indirectly link isolated individuals who are unknown to one another.

The these of narcissism and global solidarity may seem to contradict each other, yet both are valid effects of electronic communication. The purpose of this paper is to demonstrate that electronic expressive communication is conducive to both contemporary narcissism and global solidarity. This paper would argue, to the extent that electronic media is used to communicate common sensations, it promotes solidarity; to the extent it is used to achieve personal gratification, it promotes narcissism. The paper will conclude with an examination of the political implications of the bias of electronic media toward expressive communication.

Electronic Entertainment Machines: The Pleasure Principle

Expressive symbols arouse similar sensations; discursive symbols establish social objects; identifying symbols locate individuals in the social fabric. These three types of symbols are used by all communication technologies. Transformations from oral to literate to printing to electronic technologies restructured the ratio of the three types of symbols. Symbols that in an earlier technology were subordinate became dominant, and symbols that had been dominant became secondary. Oral technology, with the format of contrived speech, favored the use of expressive symbols. In writing, and then in print, discursive symbols were dominant. As writing and print replaced orality, passionate experiences became less pervasive. In the same manner, the sights and sounds and ever-moving images of the electronic media favor expressive communication and discourage discourse.

Mass communication serves to inform as well as to entertain. Robert Park (1938) delineated two types of communication, the "referential" and the "expressive." In the referential function, ideas and facts are communicated; in the expressive function, sentiments and emotions are manifest. However, with the advent of electronic technology, the distinction between the "referential" and the "expressive" is dissolving. Since electronic media has a bias favoring the use of expressive symbols, it tends to co-opt the referential information and transform referential information into entertainment. In Park's words, the "expressive" contaminates the "referential." TV news emphasizes sensational stories; TV weather reports are visual extravaganzas. TV and record producers manipulate the expressive symbols, trying to excite and fascinate the audience. Their major concern is to fill the audience with joy and relief, to make it fun to watch TV. The referential function of electronic media becomes secondary.

The power of electronic communication is its ability to evoke and structure affect. The sources of electronic entertainment produce an "affective alliance" (Grossberg, 1983). The power of electronic entertainment lies not in what it says or means, rather in how it structures affect. The pleasure of listening to rock music is based on the resonance called up by the sound than on being reflective about the lyrics. When Phil Spector, a record producer, was asked about the meaning of his song "Da Doo Ron Ron," he said, "It's not what I say it means. It's what it makes you feel" (Marcus, 1982). Electronic entertainment provides mindless pleasure. To appreciate electronic entertainment is to indulge oneself in structured visceral sensations.

Electronic media, with a bias favoring expressive communication, elicits moods, emotions, energy, and excitement, and discourages the discussion of ideas. Electronic media are mainly used to express styles and arouse emotions, to soothe the soul and not to cultivate the soul. Information presented in electronic expressive communication contains intense, and yet, superficial emotions. The audience who watch the movie, A Cat on the Hot Tin Roof, are thus more likely to become emotionally involved with the characters than to deal with the ideas of the play which the readers of the play (the movie's written form) are more likely to do. The audience who watch Oliver North's testimony on TV are more likely to be emotionally identified with him than to reflectively examine what he said. The readers of newspaper coverage of North's testimony are more likely to take a detached stand and reflect upon the discussion presented by North. That is, on TV, since the audience is encouraged to feel, not to think, how North presented himself is more effective and convincing than what he said.

Narcissism as a Social Act

Narcissism, a term derived from the Greek myth of Narcissus, is commonly used as a synonym for self-love and self-absorption. Even though narcissism is commonly used to refer to a pathology, in this paper it is extrapolated to describe a conscious awareness of self-gratifying activities. When a narcissistic act is committed, the individual is reflective about the separation between self and others; he/she is aware that he/she is alone. "When one is alone...one experiences oneself without others; but, at the same time, one is necessarily aware of the others who are absent" (Diekema, 1988:4). Aloneness is social.

On that ground, narcissistic behavior is a social act.

Narcissistic action is illustrated by a teenage boy (played by Tom Cruise), in the film, Risky Business. After his parents left the house for vacation, he knew that he was all alone. He turned the stereo up high and slid into the living room in his underwear, holding a jump rope on his hand as an imagined microphone, dubbing the voices coming out of the stereo speaker. He "sang" and danced as expressively as he wished, vicariously living out the fantasy of being a rock singer. The teenage boy was experiencing conscious self-gratifying sensations. The narcissistic sensation he experienced was the consequence of a willful and reflective act linked to the expressive symbols provided by the stereo. The teenage boy was fully aware of his separation from others. Aloneness is a preliminary requirement for narcissistic experiences.

Narcissistic sensations can be generated in a number of ways, for instance, taking alcohol, drugs, or engaging in sexual behavior. In this paper, my concern with narcissism is limited to self-gratifying kinesthetic sensation and sensual experience which the audience derives from the consumption of electronic media product. For example, dancing to MTV, cheering televised football games, or listening to a Walkman. It does not matter what the content is--jazz, hard rock, or new wave--or what the lyrics are--up-beat or mellow, joyful or sorrowful--but the visceral sensations generated from the "affective apparatus"--musical genres and practices, styles of dress, behavior, dance, and economic and political relations (Grossberg, 1983). In listening to popular music, the narcissistic sensation is the visceral experience elicited from the "sheer energy of the music, the danceable beat, and the sexual echoes" (Grossberg, 1983). This is not to suggest a disjunction of lyrics and sounds but rather that the meaning and power of electronic media cannot be realized by textual analysis of its message. "When the audience engages in actualizing the utopian possibility (in rock and roll), the particular content of the vision is only secondary" (Grossberg, 1983:111).

Both print and the electronic media de-emphasize social interaction. They allow for symbolic experiences independent of contact with others. That is, both technologies privatize. But the privatization is of a different order for each. To further illustrate the nature of electronic narcissistic experience, the experiences derived from the print and electronic media are discussed in the following, with emphases on (1) the temporal consciousness--historical consciousness vs. historical amnesia; (2) the frame of thought encouraged--concentration vs. absorption; (3) the rewards elicited--delayed pleasure vs. immediate gratification; and (4) the social form invited--individualism vs. narcissism.

Historical Consciousness vs. Historical Amnesia

Literate technologies that retain discursive information in static artifactual form can be used to construct precise and extended chronologies (Couch and Chen, 1988). Discursive symbols establish social objects in the course of human interaction; they facilitate the formation of distal past and futures. Discursive symbols offer a sequential narrative format to transmit chronological information. Information contained in discursive symbols always has a beginning and an end. Appreciating printed discursive symbols requires one to commit oneself to continuity over a period of time. Readers of discursive communication are informed about the distal past and aware of the distal future. Printed discursive communication thus enhances readers' historical consciousness.

Information retained in electronic expressive communication is fluid. Electronically transmitted information provides a flow of experiences, instead of a set of objects (Couch, 1989). Electronic entertainment is experienced through an ongoing visual and auditory process contained within the immediate present. One of the features of electronic entertainment is the fragmentation of time into a series of perpetual presents. The past and the future collapse into the moment of present (Tetzlaff, 1986). A sense of history disappears. Wallowing in the perpetual present, the audience loses the sense of distal past and future. Electronic entertainment machines promote "historical amnesia" (Jameson, 1983).

The inability to think historically is what Jameson (1983) regards as one of the characteristics of the "schizophrenia" of the consumer society. Lacan used the term, schizophrenia, to describe a kind of language disorder. Lacan believed that consciousness of time is a consequence of language, or of symbol using. Because the schizophrenic is not capable of articulating symbols, he or she therefore does not have the experience of temporal continuity. The schizophrenic is thus given over to an undifferentiated vision of the world in the present. Schizophrenic experience is an experience filled with isolated illusions which are not linked into a coherent sequence. "The various moments of the schizophrenic past have little connection and for which there is no conceivable future on the horizon" (Jameson, 1983). In the schizophrenic experience, ambience replaces sequence and continuity. Meaning and pleasure exists at the moment of experiencING! The temporary and fluid experience elicited from electronic entertainment echos the experience of postmodern practice. The experience of postmodern practice is an emphasis on discontinuity, and rupture, and a denial of totality. It emphasizes fragmentation and change, so that history becomes irrelevant (Grossberg, 1983).

Concentration vs. Absorption

Mental effort is required for understanding information retained in printed discursive symbols. First, one has to learn how to read. Even though some literate technologies are easier to master than others, generally speaking learning to read requires long-term training. After one is able to read, another type of mental effort required is concentration. Basically, the mental effort required for reading is a form of "work" (Stephenson, 1967). In work, self is separated from the object of one's activity. To overcome this separation, one has to deliberately focus one's attention on the object of one's activity. Alienation also involves a detached objective state of being that enables one to examine the object and the self from the point of view of others. The mental effort required for printed discursive communication fosters a distinct sense of identity and a clear understanding of the relationship between self and objects.

The consumption of electronic expressive communication begins with a reflexive act. That is, narcissistic experience begins with a willful act. As one enters into deep narcissistic experience, the willfulness fades away, instinctive responsiveness dominates. Consuming electronic entertainment, one is awash in a sea of auditory and visual experiences that elicit visceral sensations. The future disappears. It is like being in a "trance" (Stephenson, 1967) or in the exact position of "an astronaut in his capsule in a state of weightlessness" (Baudrillard, 1983). In other words, one is engaging in play, illusions or semblance (Stephenson, 1967). When one engages in play, one is absorbed in the immediate present. Conceptions of the outside world dissolve.

Individuals who consume electronic entertainment act without reference to the collectivity. The differentiation of self and collectivity is hazy. They are like private "telematics" (Baudrillard, 1983); each person is isolated in a position of perfect and remote sovereignty. Individuals are so wrapped up in their own world that the picture of a larger society is not clear to them. Others become insignificant, if not irrelevant. What is important to narcissistic individuals is the objects from which they can derive a feeling of extending to infinity, a feeling of unrestricted autonomy and grandeur.

Also, when one is absorbed in play, sense of self is lessened. Individuality and personal identity become a thing of the past. Jameson (1983) borrows Lacan's view on schizophrenia to explain the lost of self in electronic communication. Lacan noted that conscious identity depends on the persistent interaction between the "I" and the "me." Since the schizophrenic does not have the capability of symbol articulation, he/she thus does not have consciousness of self.

Delayed Pleasure vs. Immediate Gratification

Sensational news and entertainment provide readers immediate pleasure (Schramm, 1949). They could enjoy the pleasure of crime or sex vicariously (Stephenson, 1967). Reading about public affairs, such as economics, religion, and politics is governed more by delayed pleasure (Schramm, 1949). In the consumption of expressive symbol oriented news--news that arouses sentiment--pleasure is immediate; whereas in the reading of discursive symbol-dominated news--news that reports data and analysis--pleasure is delayed. With electronic expressive communication, the pleasure elicited is immediate, whereas with printed discursive communication, the pleasure derived is delayed.

Electronic entertainment provides instant gratification. To take popular music listening, for example, the moment an individual puts on head phones and turns on a Walkman instant gratification is provided. The individual immediately indulges in auditory experiences and visceral sensations. He/she feels chills that make the hair on the back of his/her neck stand up. He/she feels the movement and the raw energy, embedded in the music, which seem to "drive" him/her forward as if in flight. He/she experiences unreality--infinite vastness, brilliant light, unlimited space, and immense excitement.

The audience of electronic expressive communication may not be able to articulate historically or to think reflectively, yet they experience far more intense emotions than readers of printed discursive communication. Jameson (1983) agrees with Lacan in that the schizophrenic has a far more intense experience than normal people do. Although it is not articulated, the image-environment of the schizophrenic carries intense emotional energy. However, the intense emotions elicited are going nowhere; no distal future informs the experiences. The emotional energy elicited is momentary. The intense emotion is basically unproductive. At most, it can be considered productive only in the sense of producing self-enchantment. When the audience break into sobs, they enjoy the tears, they feel better for it, this behavior results in no self-improvement (Stephenson, 1967). The immediate pleasure derived from electronic entertainment is without long-term rewards of any kind, other than one's being able to say later, "Boy, this sure is fun!" The pleasure derived brings no material gain.

In addition, the pleasure derived from the consumption of electronic entertainment is free of reality-testing. Electronic entertainment as a form of play is detached from "real life." Play is pretending, a stepping outside the world of duty and responsibility (Stephenson, 1967). Individuals who consume electronic entertainment shut out the "real" world and bask in vicarious pleasure--for instance, by playing an air guitar they live out the fantasy of being a rock star. In other words, the immediate pleasure is a form of imagery-making. The pleasure is pure fascination, aleatory and psychotropic (Baudrillard, 1983).

The rewards derived from reading--broadened knowledge, heightened historical consciousness, advanced reflective thinking, increased social awareness-- can be regarded as the investments for future benefit or long-term pleasure. "Delayed rewards prepare the readers the better to meet the future" (Stephenson, 1967). The rewards of reading have consequences on the present behavior which in time will bring about the realization of future pleasure. Reading is thus future-oriented. Also, these rewards are long-lasting and cumulative, and often lead people to reflect upon and act on issues in the "real world" instead of encouraging them to live in a fantasy land. The acts resulting from these rewards tend to be more rational than the acts simply responding to the immediate visceral sensations elicited from electronic entertainment.

Individualism vs. Narcissism

Both "narcissism" and "individualism" refer to a separation of self and community, but the nature of the separation is different for each. Individualism encourages the existence of a distinct sense of self within a community, whereas narcissism promotes the disappearance of the community. Individualistic persons act with reference to the collectivity, whereas narcissistic persons do not. The product of individualism affects self and others, whereas the product of narcissism always stays private.

Readers are individualistic because they have a distinct sense of self and a clear understanding of the differentiation of self from the collectivity. The detached state of being associated with reading enables individuals to examine themselves from the viewpoint of others. Readers are thus socially aware. In the world of print, each individual sees him/herself as a distinct part, and the collectivity as composed of differentiated parts. With a knowledge of others, they incorporate the personality and identities of others in their acts, and their acts affect not only themselves but also others, either pleasantly or unpleasantly.

In contrast, individuals who engage in electronic entertainment are self-absorbed. They bask in visceral sensations and lose their sense of self. They are so fully occupied by sensations that their identities disappear. Self is immersed in visceral sensations. Narcissistic individuals thus have no such differentiation between self and collectivity. Due to their self-absorption, individuals who indulge in electronic entertainment do not have a clear picture of others. The product of their narcissistic act--private visceral sensations--floods out all differentiation.

Individualistic activity is informed by the past and structured by a projected future, whereas narcissism is a present centered activity. The sequential narrative format of print media favors the formulation of a sense of distal past and future by readers. Besides, the long-term rewards of the print media prepares readers better to bring about the realization of delayed pleasure. In the world of print each person is thus able to project a personal future and organize self to bring a long-term project to fruition. On the other hand, those consuming electronic entertainment are indulging in the perpetual present, thus losing their sense of distal past and future. To acquire immediate gratification, a narcissistic individual organizes self in the here and now.

The enduring static quality of print media favors the development of social objectives. The alienation of self from the discursive symbols elicits a reflective frame of thought, and the concentrated mode of conduct result in formulation of rational action. That is, individualistic persons are able to think reflectively about objectives with high concentration and then organize their actions to achieve the objectives. On the other hand, narcissistic individuals, consuming electronic entertainment, attend to present-centered experiences.

Global Solidarity and Sociability

Dewey (1954) indicated the relationships among the words--common, community, and communication. According to Dewey, a community is a group of people who have things in common; and communication is the way in which people come to possess things in common. Communication technologies are agents for constructing a community; they establish common ties among the people. In that manner, electronic media contributes to the construction of an electronic community by establishing common sentiments among people. With electronic media, the audience is unified not by physical presence but by a common object of attention. In the electronic age, the notion of community is deterritorialized.

Electronic media produce common sentiments on a grand scale. The electronic sounds and images are so elusive and ubiquitous so that "the electromagnetic spectrum around us is filled with invisible signals that can be detected with the right equipment; the air itself is literally brimming with signals" (Peters, 1989). The distribution of identical expressive stimuli around the world via electronic media establishes common affective links among dispersed peoples. By eliciting a worldwide narcissistic response, electronic media encase dispersed audiences within a common symbolic world. Thus common sensations experienced worldwide can be characterized as a form of collective narcissism; isolated human beings are affectively "bound" to one another. With the establishment of collective narcissism, a large-scaled impersonal electronic community is created.

Among significant symbols in human interaction, expressive symbols are easier to share with others than discursive and identifying symbols. Expressive symbols tend to transcend cultural, political, and historical boundaries, whereas discursive and identifying symbols are generally loaded with arbitrary significance and use values that are socially, culturally, and historically bound. Expressive symbols are based on primitive sensations, and are universal. Billy Joel's concert in Russia, Wham!'s concert in Beijing, and the world tours of Michael Jackson and Madonna demonstrate that expressive symbols exceed arbitrary boundaries and create widespread, common sensations. "Even as London was being bombed by German airplanes, Mozart's music was being played by Myra Hess in the National Gallery in Trafalgar Square--with not a thought about its German origins" (Stephenson, 1967).

The dissolution of space and time is the hallmark of the electronic age. Spontaneity across space is "a deep horizontal comradeship" (Anderson, 1983:16) in which millions can be simultaneously engaged in a common project. Live broadcast via the international satellites of American lunar landings in the 70s, or that of Olympic games captured the attention of millions of people simultaneously around the world. During those moments, the whole world was united by common excitements, dispersed audiences experienced common sensations.

Spontaneity across time is what Walter Benjamin calls "Messianic Time," which describes conditions when history bends, that is, two different historical moments are present to each other. The recording and play-back devices of electronic media facilitate the construction of "Messianic Time." The fluid and processual quality of electronic media product allows the (re)-experiencing of historical moments at the immediate present. People (re)-live the "live" experiences of the past. The rerun of the footage of the assassination of President Kennedy or the explosion of space-shuttle "Challenger" produces shocking impact across time. The audience that watches these films at different historical moments shares common sentiments toward the incidents. Global solidarity is thus experienced across time.

The tie between an individual and the electronic community is affective and universal. The form of relativeness elicited by the electronic media is a special kind of sociability. According to Simmel (1950), the world of sociability is an artificial world made up of individuals who have renounced both objective and personal features in order to bring about pure interaction among themselves. Sociability is the purest, most transparent form of interaction, free of any disturbing material accent. Sociability is sustained in pointless communication. Via electronic expressive communication, individuals momentarily abandon their social, cultural, political, and historical identities to construct a "common-unity." They are united by the common sentiments they share. The collective sentiments and primitive pleasures elicited from electronic media contribute to the establishment of global sociability.

Just as rites are the community integrating vehicle in tribal societies, electronic media serve as the community solidary mechanism in the post-industrial era. Durkheim once conceptualized community as the crystalized emotions among a group of individuals (1965). Electronic community, with its global socialibility, is a form of crystalization of the atomized, not congealed, emotions among individuals. However, the atomized emotional ties of the global sociability which have become crystalized may become obscure, indistinct, and even lapse from consciousness. It is through occasional electronic media events--such as televised lunar landings, royal weddings (Katz and Dayan, 1985), Olympic games (Rothenbuler, 1989), super bowls, world series, rock concerts, etc.--that common emotional ties are reaffirmed and collective sentiments are renewed. Electronic media events are occasions of social communion. They are electronic "rites" which are "means by which the social group reaffirms itself periodically" (Durkheim, 1925:553). Through the revitalizing and reanimating of common sentiments, global sociability is enhanced and global solidarity is established.

Global solidarity in the the "USA for Africa: We Are the World" campaign produced $50 million. The primitive feelings elicited from the song, "We Are the World," created common sensations among the audience around the world. The audience momentarily and vicariously identified themselves with the singers as the "We." The audience indulged in the unrestricted egoism that they were the "World." As the singers' narcissistic expression was aimed at arousing sympathetic emotions, the audience around the world experienced common, intense sympathetic emotions in common. To respond to the narcissistic sensations (the "vast" feeling of suddenly belonging to every other person on earth) and to relieve the sympathetic emotions they felt, the audience donated money. As narcissism is a non-reflexive physiological response, the altruistic act of the audience is a paideic act, a non-reflexive act. Sympathy, or any type of primitive emotions, has a wider field of operation in the world of electronic media.

Therefore, McLuhan was correct in stating that electronic media reintroduced the social solidarity of the oral world to the human experience. However, McLuhan erred in suggesting that the nature of electronic global village would be decentralized and egalitarian. As a matter of fact, what we are witnessing today is a highly centralized asymmetrical form of electronic communication. The remaining section of this paper will be devoted to refute McLuhan's optimistic depiction of global village.

The Politics of Pleasure Seeking

"Society not only continues to exist by transmission, by communication, it may fairly be said to exist in transmission, in communication" (Dewey, 1954:18). As social life exists in communication, how people communicate necessarily has social consequences. As a matter of fact, patterns of human association and features of human experiences reflect properties of communication technologies used (Innis, 1951). It is argued that each technology used is ideology-laden (Postman, 1985), in the way that each technology structures a way of life, guides a set of relations, and encourages a way of thinking among people. The bias of electronic media favoring expressive communication facilitates the establishment of an asymmetrical relationship between the few performers, the powerful, and the mass audience, the powerless.

Electronic media cause euphoric experiences in the audience. The fluid and processual nature of electronic expressive symbols inhibits reflective thinking. Indulging in visceral sensations, the audience is encouraged to respond intuitively and instinctively. Affective involvement in the electronic expressive communication prohibits the development of social awareness and historical consciousness. The audience lives in the perpetual present with little interest in programming the future. The audience focuses on sensation and sentiment as opposed to reason and intellect. The low reflectivity, limited social and historical understanding, and the high emotionality and responsiveness further contribute to the passive, subordinated, and non-critical state of being. Electronic media offers the audience an electronic imagery which numbs their intellect and critical sensibilities. As a result, "the audiences are driven deeper into passivity and submission" (Hardt, 1986).

The politics of electronic expressive communication arises from its organization of affect as modes of survival for the audience. Electronic entertainment may provide and encourage the desire to escape. In the world of electronic entertainment, instead of confronting reality, people tend to escape to detailed moments of affect. As a way of reacting to the inhibitions and frustrations in the reality, the audience turns up the radio to blast away the clouds. After all, even though "rock and roll won't get rid of your problems...it will let you dance all over them" (Clarke, 1979). Electronic expressive communication may encourage the audience to adapt and to escape from the hegemony rather than a confrontation to the social reality. Electronic entertainment may generate furious energy and intense affect. However, the energy generated always stays private.

As electronic media favors expressive communication and discourages discursive communication, leaders in political, economic, and religious institutions have become more concerned with arousing sentiments than with providing facts and data (Couch, 1989). "Big Brother turns out to be Howdy Doody" (Postman, 1985). Effective political candidates are well aware of the importance of stirring up sentiments among the audience and avoiding discussing serious issues, appearing in front of electronic media.

> He (Mondale) was no match for Reagan at the performing arts of modern politics....The media imagery of the campaign was Mondale plodding dutifully through a series of disquisitions on the issues while Reagan played the Olympiad and the Grand Ole Opry....Television was showbiz, not a forum for the serious discussion of public policy....That was Reagan's game, not Mondale's
> (Newsweek, November/December, 1984:92).

Electronic media celebrate play. Electronic entertainment is produced mainly to affirm that above all it is fun. As electronic entertainment emphasizes the playfulness of life, performers and the audience tend not to take themselves too seriously. "After all, it's only TV," as TV personalities often say. However, it is rare, if ever, that an author would put down on his/her book, "Hey, man, it's only a book." It is exactly this kind of "It's only TV" mentality that, Postman (1985) considers, is shriveling modern culture and threatening democracy. When social life is redefined as a perpetual round of entertainment, Postman believes that complex democratic social structure are endangered. When serious discussions are replaced by series of giggles, a monarchy is waiting to appear. Following Huxley's (1963) argument, Postman maintains that in the electronic age, spiritual devastation and political threats are more likely to come from an enemy with a smiling face than from one whose conduct exudes suspicion and hate. The threat of the playfulness of electronic media to the operation of democratic political structure is insidious, for it is subtle. After all, "who is prepared to take arms against a sea of amusement?" (Postman, 1985)

The passivity, submission, and withdrawal of the audience, as well as the exploitation of electronic expressive communication by the performers--namely, the leaders of political and economic interest groups--facilitate the construction of an asymmetrical relationship between the audience and the performers, ushering in an asymmetrical relationship between the periphery and the focal points of electronic media. The audience's passive and submissive state of being will result in no discussion among the audience members and no opposition between the audience and political and economic leaders, enabling leaders of political and economic interest groups to organize the experience and program the future for the audience (Couch, 1989). Competing definitions of reality are simplified. A complicated issue is often reduced to 30-second sound bytes. Divergent interests of the audience are likely to be replaced by monolithic control by political or economic interest groups, which leads to the audience's further subordination to the dominant political and economic practices. As electronic media replace print media as the dominant information technology, a monolithic definition of reality is more likely to occur.

Therefore, over-reliance on the electronic media and under-reliance on print media pose a threat to liberal democracy, and make a nation vulnerable to centralized control. The threat from government and large business, and the vulnerability on the part of the audience is insidious since it is subtle. "Electronic technology may now do what trading networks, bureaucratic posts, and military control have been doing in empires for millennia" (Peters, 1989). In an electronic world where there is no opposition and no discussion, only affective sentiments, though we may not be amusing ourselves to death (Postman, 1985), we may well run the risk of amusing ourselves to tyranny.

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USING CONTRACT LAW TO PROTECT NEWS SOURCES WHO ENTER CONFIDENTIALITY AGREEMENTS WITH JOURNALISTS

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ABSTRACT

This paper analyzes the decision in Cohen v. Cowles Media Co., permitting suits by news sources against journalists for breaching promises of confidentiality. It concludes that plaintiffs bringing such actions will have to show convincing evidence of the existence of a promise by the journalist and the detrimental reliance suffered by the plaintiff. The paper advocates a legal test that also requires proof of specific, unambiguous terms of the agreement and "clear and convincing" proof that the agreement was breached.

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ABSTRACT

Last term, the U.S. Supreme Court decided in Cohen v. Cowles Media Co. that it does not violate the First Amendment for confidential news sources to maintain civil actions against journalists who breach the confidentiality agreements. This represents a significant change in the law since news organizations theretofore generally prevailed in such suits due to the absence of a specific legal remedy for "burned" sources. Before the court permitted enforcement of promises of confidentiality against journalists, the worst that could happen to them was their peers would frown on their actions or news sources would dry up. Now, breaching those promises could cost the offending news organization much more in court-related costs. This paper reviews the pre-Cohen case law, analyzes the subsequent decision in Cohen and assesses the impact this case and its early progeny will have on future court actions.

The paper concludes that plaintiffs bringing such actions will have to show convincing evidence of the existence of a promise by the journalist and the detrimental reliance suffered by the plaintiff. The paper advocates a legal test that requires proof of specific, unambiguous terms of the agreement and "clear and convincing" proof that the agreement was breached.

USING CONTRACT LAW TO PROTECT NEWS SOURCES WHO ENTER CONFIDENTIALITY AGREEMENTS WITH JOURNALISTS

INTRODUCTION

For centuries, journalists have used confidential sources to assist them in gathering news and information. Concomitant with this usage, these news professionals have sought to protect the identities of their sources from mandated disclosure by the judiciary.[1] Twenty years ago, the U.S. Supreme Court refused to give journalists a blanket privilege protecting source confidentiality before a grand jury.[2] Seemingly forgotten in the reporters' quest for a privilege is the sources' need for protection from having their identities revealed by news organizations in contravention to promises of confidentiality. Nevertheless, the confidential sources' needs were brought into focus in recent years by various lower court rulings. In addition, last year the U.S. Supreme Court removed a First Amendment barrier for sources seeking a legal remedy for a breach of confidentiality by the press.[3]

Specifically, the U.S. Supreme Court, in Cohen v. Cowles Media Co.,[4] ruled that it does not violate the First Amendment to enforce promises of confidentiality between reporters and sources on the basis of promissory estoppel. Promissory estoppel is a contract-related doctrine that enables courts to enforce promises in the interest of justice when the elements of a typical commercial contract cannot be met. Thus, by allowing a remedy for sources "burned" by news organizations, the court's decision effectively could remove from the editorial control of journalists a decision that heretofore has been based purely on ethical choice, not judicial precedent.[5] Before the Cohen ruling, revealing the identity of a confidential source, at most, amounted to a violation of a code of ethics for journalists.[6] Now, a breach of confidentiality agreement can cost the offending journalist and news organization a civil court judgment and an award of damages.[7]

This article will review the law of confidential news sources as it existed prior to the Supreme Court's ruling in Cohen v. Cowles Media Co. Next, the article will examine the court's ruling, analyzing the final outcome of the case on remand to the Minnesota Supreme Court. Finally, the article will attempt to assess the application of promissory estoppel in the future by observing early returns from the post-Cohen case law.

BACKGROUND

Prior to the U.S. Supreme Court's decision in Cohen v. Cowles Media Co., there was a hodgepodge of case law on confidentiality agreements in the lower courts. In most instances, courts rejected claims of breach of confidentiality, although not always on the basis of contracts or promissory estoppel. The theories that formed the basis of the legal claims were as diverse as the factual patterns on which they arose.

Written Agreements

In Bindrim v. Mitchell,[8] the plaintiff, a licensed clinical psychologist who used nude group therapy, sued writer Gwen Davis Mitchell for breaking her written agreement to attend the group's sessions without writing about them. Paragraph B of their contract read as follows:

> The participant agrees that he will not take photographs, write articles, or in any manner disclose who has attended the workshop or what has transpired. If he fails to do so he releases all parties from this contract, but remains legally liable for damages sustained by the leaders and participants.[9]

Basically, the court invalidated the agreement between Bindrim and Mitchell. There is no authority, the court ruled, for preventing Mitchell from reporting on treatment that she or the other therapy participants received as group members.[10]

In Huskey v. NBC,[11] an inmate in a federal penitentiary sued the television network alleging a breach of its contract it signed, pledging that it would abide by federal regulations prohibiting the photographing of inmates without their consent. The court found that NBC did not live up to its agreement, possibly entitling Huskey to damages for the mental and emotional injuries he suffered.[12] Without ruling on the merits of Huskey's claim, the court also found that NBC could be enjoined from telecasting the Huskey footage in a narrowly tailored order that would protect the privacy rights of Huskey and the First Amendment rights of NBC.[13]

Oral Agreements

In Ruzicka v. The Conde Nast Publications, Inc.,[14] a federal district court in Minnesota refused to enforce an agreement between a reporter and source because it found the pact to be too ambiguous. Jill Ruzicka, who had been sexually abused by a therapist and later became a well-known figure on the subject, sued the publisher of Glamour magazine, claiming that one of its reporters agreed to interview Ruzicka on the condition that Ruzicka not be identified or identifiable. The reporter admitted Ruzicka "wanted some kind of masking," but "was very casual about it."[15] After balancing the interests underlying the state law of contracts and the interests protected by the First Amendment, the court announced its legal test for enforcing promises broken by journalists. At a minimum, the court concluded, the Constitution requires plaintiffs in contract actions seeking to enforce a reporter-source agreement to prove specific, unambiguous terms and to provide clear and convincing proof that the agreement was breached. In this case, because there was an agreement between the two parties with no particular or specific facts about what information would identify the source to the relevant audience, the agreement was too ambiguous to be enforced.[16]

In Cullen v. Grove Press Inc.,[17] no issue was raised with regard to the ambiguity of the agreement because there was no allegation of a contract breach made in the complaint. In Cullen, four correctional officers at a Massachusetts institution for the criminally insane sought a preliminary injunction to prevent the exhibition and distribution of a documentary film, "Titicut Follies," exposing the lower extremities of prison inmates. According to the complaint, the distributors filmed the lower extremities of the inmates during "skin searches" despite assurances by the filmmakers that they would not.[18] Since the plaintiffs alleged no breach of contract in their original claim, the court decided this case squarely on the issue of the portrayal-in-a-false-light privacy tort, applying the standard in Time, Inc. v. Hill,[19] which required that the plaintiffs prove the film was a false report of prison conditions that was made with knowledge of its falsity or in reckless disregard of the truth. Finding that the film was substantially accurate, the court denied the injunction.[20]

Two years later, the Supreme Court of Massachusetts, in Commonwealth v. Wiseman,[21] enjoined the filmmakers from publicly showing "Titicut Follies" because of a failure of the filmmakers to comply with the contractual condition that valid releases be obtained from all persons portrayed in the film. At the same time, however, the court allowed a showing of the film to specialized audiences because it may be of benefit to the public interest.[22]

Legitimate Public Interest

As in the Wiseman case, the public interest rationale was applied in a dismissal of the plaintiff's claim for breach of an anonymous-source pact in Virelli v. Goodson-Todman Enterprises, LTD.[23] In that case, a husband and wife sued the owners of a newspaper for negligence, invasion of privacy and emotional distress when the newspaper's reporter allegedly breached an agreement to interview them without disclosing their identities and to allow plaintiff Louis Virelli a pre-publication review of the article. The suit claimed that the article, titled "Tormented by a Drug-Crazed Daughter," contained identifiable portrayals of the plaintiffs and misquoted and misrepresented information as a result of which they were readily identified.[24] In affirming the lower court's dismissal of the suit, the court found that the allegations of a breach of promise amounted to a claim for tortious breach of confidence, arising out of an article which had a subject of legitimate public concern.[25] Therefore, the court, following a line of authority favorable to a free press,[26] applied a higher standard of media fault than the ordinary negligence standard that was alleged in the plaintiffs' complaint. Consequently, the court held that standard of negligence was an insufficient basis upon which to impose liability on the newspaper for injuries arising out of a publication on a matter of public concern.[27]

On the other hand, another New York appellate court refused to throw out the breach-of-contract claim made by rape victims against a television station, which identified them in a news report about rape - a subject clearly of legitimate public concern. About six months after Virelli, in Doe v. ABC,[28] the court refused to dismiss on summary judgment the claims of two rape victims and the boyfriend of one of them who claimed a television station broke its agreement to keep them unidentified. The plaintiffs had agreed to be interviewed for a special report on rape after receiving assurances from the station that neither their faces nor their voices would be recognizable in television broadcasts. In an advertisement for the special report, however, one of the plaintiff's was recognized by several people who knew her.[29] Without discussion, the court left undisturbed the trial court's denial of the television station's motion for summary judgment.[30]

Malice

Even a malice standard was employed in one case involving a breach of confidentiality suit. In Fries v. NBC,[31] a former San Jose police sergeant, Joseph Fries, filed suit alleging Mary Civiello, a former reporter for KRON-TV in San Francisco, and the television station breached their agreement of confidentiality when she told Fries' fellow officers that he was the source of leaks that led to a story about alleged improprieties committed by an officer. Fries claimed that Civiello used his name to gain access to a closed police association meeting, where the subject matter of the confidential agreement was to be discussed. Although Fries' name was not used on the air, he claimed that he had to leave his job as a result of Civiello's revelation.[32] In pre-trial motions, the judge ruled that the agreement fell under the California statute which gives a qualified privilege for communications made without malice to people having a common interest in the subject.[33] The trial judge used California case law to define malice in terms of whether the news media defendant breached the contract with "wanton and reckless disregard of the consequences" to the source. The first trial resulted in a hung jury, and the case was settled before the second trial began.[34]

Finally, the Minnesota case of Cohen v. Cowles Media Co. was making its way through that state's court system at about the same time as many of the foregoing rulings. But while Cohen originated as a breach of contract claim based on a broken anonymous-source agreement, the case would be decided alternatively by the nation's highest court on the basis of a quasi-contract theory of promissory estoppel.

COHEN v. COWLES MEDIA CO.

The case arose when Dan Cohen, a public relations director for an advertising agency, sued the Minneapolis Star Tribune and the St. Paul Pioneer Press and Dispatch after the newspapers overruled their reporter's promises not to reveal Cohen's identity.[35] During the 1982 Minnesota gubernatorial race, Cohen, who had been associated with the Republican Party, offered four reporters[36] information concerning the arrests of an opposing party's candidate for lieutenant governor. In return, Cohen received promises from each of them that they would use the information without revealing his identity as the news source. The two newspapers published the story of the arrests, but they also named Cohen as the source of the information.[37] Shortly after Cohen was named in the newspapers as the source of the leak, he lost his job.

Cohen sued the two news organizations in Minnesota District Court, claiming breach of an oral contract and misrepresentation. The jury found liability on both claims and awarded Cohen $200,000 in compensatory damages and $500,000 in punitive damages. The state Court of Appeals affirmed the breach of contract claim but reversed the misrepresentation claim and the award of punitive damages. The state Supreme Court reversed the award of compensatory damages, holding that a contract cause of action was inappropriate. In addition, that court analyzed Cohen's claim under promissory estoppel, concluding that enforcement under such a theory in this case would violate the newspapers' First Amendment rights.[38]

Justice White, writing for a majority of the U.S. Supreme Court, reaffirmed the well-settled precedent that the First Amendment is not violated simply because enforcement of generally applicable laws against the press might incidentally affect its ability to gather and report the news.[39] Therefore, the press cannot use the First Amendment freedoms to shield it from the responsibility of obeying the law.[40] The Supreme Court, for example, has required that newspaper reporters respond to grand jury subpoenas to answer questions related to a criminal investigation.[41] Additionally, the press cannot publish copyrighted material without regard for the copyright laws.[42] Justice White documented other instances, outside of the newsgathering function of the press, where general laws have applied like antitrust provisions,[43] the National Labor Relations Act,[44] the Fair Labor Standards Act,[45] and the payment of nondiscriminatory taxes.[46] Thus, Justice White reasoned, general laws applied to the press are not subjected to stricter scrutiny than when they are applied to other persons or organizations.[47] Since Minnesota's doctrine of promissory estoppel is such a law, the court held that the First Amendment does not prohibit its application to the press. The court remanded the case to Minnesota state court to determine whether Cohen could establish that he met the requirements of promissory estoppel under state law.

Justice Blackmun, writing in dissent, took issue with the majority's use of generally applicable laws "to penalize the reporting of truthful information regarding a political campaign."[48] Blackmun argued that Hustler Magazine, Inc. v. Falwell[49] and Smith v. Daily Mail[50] should have been applied to protect the First Amendment interests in this case.[51]

Justice Souter, who also wrote a dissenting opinion in the case, argued that the competing interests involved should be weighed in a constitutional balancing test. Then he balanced the state's interest in enforcing a newspaper's promise of confidentiality against the newspaper's interest in unfettered publication of the information revealed in this case, and he struck the balance in favor of the press.[52]

DISCUSSION

Epilogue to Cohen

The Minnesota Supreme Court, on remand, decided it would be unfair not to allow Cohen to proceed under promissory estoppel but concluded that a retrial on the issue was unnecessary. Instead, the court chose to enforce the promise to Cohen on a promissory estoppel theory using as a basis the newspaper's own policy of maintaining their promises of confidentiality.[53]

> What is significant in this case is that the record shows the defendant newspapers themselves believed that they generally must keep promises of confidentiality given a news sources [sic]. The reporters who actually gave the promises adamantly testified that their promises should have been honored. The editors who countermanded the promises conceded that never before or since have they reneged on a promise of confidentiality.[54]

In reinstating the $200,000 judgment of the trial court, the court noted that neither side in this case clearly holds the higher moral ground. In effect, the court reinstated the Court of Appeals affirmance of the district court's judgment.

Two somewhat interrelated problems arise as a result of the Minnesota Supreme Court's decision on remand. First, the court's conclusion that a retrial is unnecessary is puzzling. The court, in reinstating the jury award, does not address the fact that the original verdict in Cohen was based on evidence presented and jury instructions given on the elements of contract law, not promissory estoppel. The estoppel theory was never pled and proven by the plaintiff; it was raised sua sponte by the state Supreme Court.[55] Therefore, it remains unclear whether a jury would have been willing to enforce the journalists' promise on promissory estoppel grounds.

Second, the court equated the monetary damages under contract law with those under promissory estoppel. In Cohen I, the state Supreme Court found that all of the elements of a contract had been met, but the court refused to enforce the promise on that basis or on grounds of promissory estoppel because of First Amendment considerations. On remand, the Minnesota Supreme Court decided on its own that the requirements of promissory estoppel had been met, entitling Cohen to damages for the breach. Since there was evidence to support the jury's award of $200,000 on contract, the court accepted this as a suitable judgment for promissory estoppel and endorsed the Court of Appeals affirmance of the district court award but on promissory estoppel grounds. While it is true that the harm caused by a breach of the agreement does not change for either theory, there could be different types of recovery for each.

Applying Promissory Estoppel

A majority of the U.S. Supreme Court in Cohen v. Cowles Media Co. agreed to allow a remedy through the contract doctrine of promissory estoppel. Before analyzing promissory estoppel, though, courts applying contract law should first determine whether the elements of a common law contract have been met. In order for a source to recover damages or restitution for breach of confidence under a breach of contract theory, a court must find that there was an offer, an acceptance of that offer, consideration[56] and a breach of the agreement by either party.[57] The Minnesota Supreme Court, for example, found that all of the elements were present in the Cohen case, yet it refused to hold the newspapers liable under contract law because of the First Amendment implications in the case.[58] If the court finds that the elements of a contract have been met, the inquiry may end there when the court decides to enforce the promise.

An important part of the courts' common law contract analysis involves the question of whether conventional consideration is present.[59] The core of the consideration requirement has been that the promisee must give something in exchange for the promise. Over time, consideration became an exchange that was "bargained for" between the parties.[60] Something is said to be bargained for "if it is sought by the promisor in exchange for his promise and is given by the promisee in exchange for that promise."[61]

If the contract claim is lacking in consideration, this may not be fatal to the claim for enforcement. Courts have applied promissory estoppel as a secondary means of enforcing the promise.[62] Though promissory estoppel was created in the twentieth century, it has historical roots in the courts' enforcement of donative promises - promises made to confer a benefit by gift.[63] The requirements of promissory estoppel are stated in the Restatement Second of Contracts:

> (1) A promise which the promisor should reasonably expect to induce action or forbearance on the part of the promisee or a third person and which does induce such action or forbearance is binding if injustice can be avoided only by enforcement of the promise. The remedy granted for breach may be limited as justice requires.[64]

In applying this provision, courts generally examine the factual circumstance to see if three distinct elements are met: 1) whether there is a promise that the promisee actually relies on; 2) whether the promisor had reason to expect reliance on the promise; and 3) whether the only way to avoid an injustice is by enforcing the promise.[65] The Supreme Court of Minnesota applied this three-part test and found that the first two prongs had been met. Specifically, the court found there was a promise by the reporters to treat Cohen as an anonymous source and that the reporters expected the promise to induce Cohen to give them the documents. On the third prong, however, the court balanced enforcement of the promise against the constitutional rights of a free press and concluded that enforcement under a promissory estoppel theory would violate the newspapers' First Amendment rights.[66]

The balance on the third prong of the estoppel analysis bears a striking resemblance to the one struck by Souter in his dissenting opinion. Each evinces a desire to weigh and consider the competing interests at stake: the harm suffered by a news source who relies to his detriment on the promise made by the reporter versus the newspaper's First Amendment rights to make editorial judgments on matters involving confidentiality. But because the U.S. Supreme Court ruled that there was no First Amendment violation in applying promissory estoppel, it remains to be seen whether a constitutional balance might be reintroduced by lower courts that apply the elements of promissory estoppel or through judicial recognition of some of the traditional limitations on enforcement of a contract and apply them to a reporter/source setting. Generally, these limitations on enforceability of a contract include capacity, misrepresentation, fraud, duress, threat, undue influence and unconscionability.[67] Moreover, such a balance could be struck if the reporter/source agreement gives rise to policies developed by the judiciary or the legislature, which provide reasons not to enforce the contract.[68]

Successful application of the three-part test for promissory estoppel effectively stops a contracting party, by his own acts, from making allegations or denials that are contrary to his previous statements or actions. The party that prevails in court is entitled to damages. The kinds of damages that should be awarded have been debated[69] and have led some to call for flexibility.[70] Usually, courts will allow damages to protect the injured party's reliance interest, which attempts to put him back in the position he would have been in had the contract not been made.[71]

Post-Cohen Case Law

It may be too early to analyze the full impact of Cohen on the case law. Nevertheless, the lower court decisions that have been based on Cohen could provide some insight in that direction. In one case, Anderson v. Strong Memorial Hospital,[72] a physician and hospital that were found liable for breach of the confidential patient-physician privilege, brought a third-party suit against Gannett Co., Inc. for breaching the promises of its reporter and photographer that a patient they photographed would not be recognizable in print. The patient, pictured at a hospital's AIDS research and treatment unit, sued for breach of contract after he was recognized by family and friends in a photograph published in connection with a story on the work being done on the unit. Two days after the photograph was taken, the newspaper published the story and photo with a caption under the photograph reading: "Dr. William Valenti of Strong Memorial Hospital's Infectious Disease Unit conducts an examination of a patient. Valenti's chief responsibility is caring for AIDS patients." At that time, although Anderson was HIV positive, he did not have AIDS.[73] The court found no reasonable policy basis for invoking the free speech protection of the state constitution because there is no significant public interest in knowing the identity of someone who is HIV positive or suffering from AIDS. Moreover, the court found, there is no free speech interest that the state must recognize in revealing the identity of such a person; rather, state interests are strongly implicated in not disclosing a patient's identity.[74]

The court distinguished Virelli v. Goodson-Todman Enterprises, LTD, in which the plaintiffs' claim of a confidentiality breach was dismissed on grounds that the subject matter of the news was an issue of legitimate public interest. This court questioned the Virelli court's decision to merge the issue of the newspaper story about drug abuse with the identity of the people in the story since the former dealt with a matter of legitimate public interest and the latter did not. While the Virelli court should have querried whether such a promise was made and broken, its failure to do so may have resulted from the plaintiffs' failure to make a breach of contract claim a part of the pleading.[75]

Noting the conflict created by another New York state court ruling, Doe v. ABC, the court in Anderson chose to follow Doe in deciding the contract claim. In Doe, the court found cognizable a breach of promise claim brought by two rape victims who participated in a television broadcast only after receiving assurances that their faces and voices would not be recognizable. In Anderson, the court found that all of the elements of contract law--offer, acceptance and consideration--were met. Nevertheless, the court found it would be "legally incongruous" to hold the primary defendants, Valenti and Strong Memorial Hospital, responsible for the broken promise made to the plaintiff,[76] and, at the same time release the promisor, Gannett, from liability. Therefore, the court held, Gannett should be required to honor its promises of confidentiality.[77] In so doing, the court turned the words of Gannett's own newspaper, The Rochester Democrat & Chronicle where Anderson's photograph appeared, against it. In an editorial commenting on the Cohen v. Cowles Media Co. case, the newspaper stated:

> When we make a promise of confidentiality we mean it... Once the promise was made [to Cohen by the reporters] ... they should have kept it. To do otherwise would be to say, "The First Amendment gives us the right to lie." ... Talk about a blow to the First Amendment: If people didn't trust us, they wouldn't tell us anything. Then we couldn't print the truth, and you couldn't read it.[78]

This year, in Morgan v. Celender,[79] a federal district court in Pennsylvania dismissed a suit based on a broken promise of anonymity. The mother of two children whose father was accused of abusing them sued the Valley News Dispatch, claiming that reporter Mark Celender fraudulently promised them that no names would be used in the publication involving a silhouette picture. The children's mother, Diane

Morgan Chambon, consented to the picture based on her reliance on the reporter's promise. The newspaper published the names of the mother and daughter with the picture, and Chambon filed suit claiming the children suffered damages as a result of the publication.[80]

In determining whether there had been a breach of a confidentiality agreement between Chambon and the reporter, the court, responding to the allegations in the plaintiffs' complaint, looked to the elements of Pennsylvania's law of intentional misrepresentation or fraud which requires the plaintiff to show by clear and convincing evidence: (1) a misrepresentation; (2) a fraudulent utterance; (3) an intention by the maker that the recipient will be induced to act; (4) justifiable reliance on the misrepresentation; and (5) damage to the recipient as a proximate result. The court had trouble finding even a representation because, it said, there was no evidence that any of the newspaper's employees had made any promise to the mother or daughter. Even assuming that a promise of confidentiality had been made and breached, the court held that the plaintiffs had failed to establish the elements of the tort of intentional misrepresentation or fraud. Citing state law, the court ruled that a promise to do something in the future (such as keeping information confidential) that is not kept by the person making the promise is not considered fraud.[81]

CONCLUSION

Before the U.S. Supreme Court decided Cohen v. Cowles Media Co., news sources seeking to protect their identities from disclosure by journalists had little recourse. Now these sources have a legal remedy that may provide them some protection under contract law, provided their state law allows such suits in an anonymous-source context.

Although the full effect of the decision cannot be known at this time, it is clear that plaintiffs bringing suits based on contracts or promissory estoppel will be required to show convincing evidence that the requisite elements have been met. In Anderson v. Strong Memorial Hospital for example, the circumstances made clear that there was a promise by the Gannett photographer that Anderson relied on to his detriment. In fact, the photographer made the same assurances to Anderson's physician. Therefore, there was another individual present who could verify the promise made to Anderson. Similarly, there was further proof of the making of the promise in Cohen; the journalists involved admitted to it. In the typical case, however, the issue may have to be decided by the trier of fact, with doubtful cases being lost by the plaintiff, who must plead and prove every element of the wrong in presenting his case-in-chief. A test courts may consider applying is the one announced in Ruzicka v. The Conde Nast Publications, Inc. There, the court held that plaintiffs in these types of suits must prove specific, unambiguous terms of the agreement and provide clear and convincing proof that the agreement was breached.

Even the recent Morgan v. Celender case serves as an example of the need for proof, though it was not decided on the basis of promissory estoppel. The plaintiffs in that case, suing under the state's law of misrepresentation, were met by the defendants with denials of any promise having been made. With no other witnesses to corroborate the plaintiffs' claim, the reporter was successful in deflecting the suit by denying having made any representations. In addition, Morgan v. Celender illustrates that courts generally will not imply a contract when the aggrieved person sues on the wrong theory of recovery or when there is some other defect in the pleadings. This also provides at least some explanation for the varied results in the pre-Cohen case law.

ENDNOTES

1. The practice has been traced as far back as 1722, when Benjamin Franklin's half-brother, James, was brought before a committee of the Assembly and asked to reveal the name of the author of an article in his newspaper, The New England Courant. When he refused, he was imprisoned for a month. Louis A. Day, "Shield Laws and the Separation of Powers Doctrine," Communications and the Law 1, 3 (1980). John Peter Zenger and Benjamin Franklin were two other early American journalists who dared to keep their sources a secret when pressed by authorities. Maurice Van Gerpen, Privileged Communication and the Press (Westport, Conn.: Greenwood Press 1979) at 5-6. For a comprehensive historical treatment of the case law on confidential sources, See A. Gordon, "Protection of News Sources: The History and Legal Status of the Newsman's Privilege" (2 volumes) (1971) Ph.D. Thesis: The University of Wisconsin. UMI Dissertation Information Service.

2. Branzburg v. Hayes, 408 U.S. 665 (1972). The court, in effect, empowered judges to force journalists to disclose the identities of their sources, ruling that newsmen have a civic duty like other citizens to testify before a grand jury when they are called. Id. at 690. The harsh consequences that would result from a strict adherence to this rule have been negated by lower courts' adoption of a qualified privilege. See Kent R. Middleton and Bill F.

Chamberlin, The Law of Public Communication (New York: Longman 1991) p. 458; Donald M. Gillmor and Jerome A. Barron, Mass Communication Law (St. Paul, Minn.: West 1984) p. 397.

3. Cohen v. Cowles Media Co., 18 Media L. Rep. (BNA) 2273 (1991).

4. Id.

5. Monica Langley and Lee Levine, "Broken Promises," Colum. Journalism Rev. July/August 1988 at 21.

6. Society of Professional Journalists Code of Ethics (1987) (requiring that journalists "acknowledge the newsman's ethic of protecting confidential sources of information.").

7. This case has received attention from legal students and scholars. See Note, "Promises and the Press: First Amendment Limitations on News Source Recovery for Breach of a Confidentiality Agreement," 73 Minn. L. Rev. 1553 (1989); Jens B. Koepke, "Reporter Privilege: Shield or Sword? Applying a Modified Breach of Contract Standard When a Newsperson 'Burns' a Confidential Source," 42 Fed. Comm. L. J. 277 (1990); Kathryn M. Case, Note, "When a Promise is not a Promise: The Legal Consequences for Journalists Who Break Promises of Confidentiality to Sources," 12 Hastings Comm. & Ent. L. J. 565 (1990).

8. 155 Cal. Rptr. 29 (Cal. App. 1979).

9. Bindrim v. Mitchell, 155 Cal. Rptr. 29, 33 (Cal. App. 1979).

10. Id. at 41.

11. 632 F. Supp. 1282 (N.D. Ill. 1986).

12. Huskey v. NBC, 632 F. Supp. 1282, 1292 (N.D. Ill. 1986).

13. Id. at 1295.

14. 17 Media L. Rep. (BNA) 1617 (1990).

15. Ruzicka v. The Conde Nast Publications, Inc., 17 Media L. Rep. (BNA) 1617, 1618 (1990). With a single exception, Ruzicka did not specify what information would threaten her anonymity. Id.

16. Id. at 1625-1626. On appeal to the Eighth Circuit U.S. Court of Appeals, the denial of a breach of an express contract claim was affirmed because Minnesota state law has refused to recognize such a claim against news organizations for a breach of an agreement of confidentiality. Ruzicka v. The Conde Nast Publications, Inc., 19 Media L. Rep. (BNA) 1048 (1991) (citing Cohen v. Cowles Media Co., 17 Media L. Rep. (BNA) 2176 (1990)) The court remanded the promissory estoppel issue to the district court.

17. 276 F. Supp. 727 (S.D.N.Y. 1967).

18. Cullen v. Grove Press, Inc., 276 F. Supp. 727, 728 (S.D.N.Y. 1967).

19. 385 U.S. 374 (1967).

20. Id. at 729-730.

21. 249 N.E. 2d 610 (Mass. 1969).

22. Commonwealth v. Wiseman, 249 N.E. 2d 610, 618-619 (Mass. 1969). The court reasoned: "It is a film which would be instructive to legislators, judges, lawyers, sociologists, social workers, doctors, psychiatrists, students in these or related fields, and organizations dealing with the social problems of custodial care and mental infirmity. The public interest in having such persons informed about Bridgewater, in our opinion, outweighs any counterveiling interests of the inmates and of the Commonwealth (as parens patriae) in anonymity and privacy."

23. 536 N.Y.S. 2d 571 (A.D. 3 Dept. 1989).

24. Virelli v. Goodson-Todman Enterprises, LTD., 536 N.Y.S. 2d 571, 573 (A.D. 3 Dept. 1989).

25. Id. at 575.

26. The line of cases cited by the court included: New York Times v. Sullivan, 376 U.S. 254 (1964); NAACP v. Button, 371 U.S. 415 (1963); Philadelphia Newspapers v. Hepps, 465 U.S. 767 (1986); Time, Inc. v. Hill, 385 U.S. 374 (1967); Hustler Magazine v. Falwell, 485 U.S. 46 (1988); Cox Broadcasting Corp. v. Cohn, 420 U.S. 469 (1975); Rinsley v. Brandt, 700 F.2d 1304 (10th Cir. 1983); Gilbert v. Medical Economics, 665 F.2d 305 (10th Cir. 1981); Virgil v. Time, Inc., 527 F.2d 1122 (9th Cir. 1975); Cullen v. Grove Press, Inc., 276 F.Supp. 727 (S.D.N.Y. 1967).

27. Id. at 576.

28. 543 N.Y.S. 2d 455 (A.D. 1 Dept. 1989).

29. Doe v. ABC, 543 N.Y.S. 2d 455, 456 (A.D. 1 Dept. 1989).

30. Id. at 455.

31. No. 456687 (Super. Ct. Cal. 1982).

32. See Fries v. NBC, No. 456687 (Super. Ct. Cal. 1982); Mary Ann Galante, "Source Confidentiality Suit Ends in Deadlock," The National Law Journal, April 2, 1984, p. 9; Note, "Promises and the Press: First Amendment Limitations on News Source Recovery for Breach of a Confidentiality Agreement," supra note 7 at 1553 n. 14; "Source Confidentiality: A Matter of Contract," Broadcasting, Aug. 25, 1980, pp. 106, 108.

33. Galante, supra note 32.

34. Id.

35. Cohen v. Cowles Media, 14 Media L. Rep. (BNA) 1460, 1461

(1987).

36. The four included Lori Sturdevant of the Tribune, Bill Salisbury of the Press and Dispatch, Gerry Nelson of the Associated Press and David Nimmer of WCCO-TV. Cohen v. Cowles Media Co., 16 Media L. Rep. (BNA) 2209, 2210 (1989). The Associated Press honored its reporter's promise to Cohen by stating in news accounts that court documents relating to the arrests and conviction "were slipped to reporters." WCCO-TV also honored its reporter's promise by deciding not to broadcast the story at all. Id. at 2211.

37. "Marlene Johnson Arrests Disclosed by Whitney Ally," Minneapolis Star and Tribune, Oct. 28, 1982, at 1-A, 12-A; and Bill Salisbury, "Perpich Running Mate Arrested in Petty Theft Case in '70," St. Paul Pioneer Press and Dispatch, Oct. 28, 1982, at 1-D.

38. Cohen v. Cowles Media Co., 17 Media L. Rep. (BNA) 2176 (1990).

39. Cohen v. Cowles Media Co., 18 Media L. Rep. (BNA) 2273, 2276 (1991). Contra., The Florida Star v. B.J.F., 491 U.S. 524 (1989) (identifying the victim of a rape); Smith v. Daily Mail, 443 U.S. 97 (1979) (identifying juvenile delinquents); Landmark Communications, Inc. v. Virginia, 435 U.S. 829 (1978) (reporting on a pending inquiry by a judicial review panel and identifying the judge whose conduct was being investigated). Note that in each of these cases insufficient state interests existed to prevent publication of truthful, lawfully obtained information.

40. See generally Cohen v. Cowles Media Co., 18 Media L. Rep. (BNA) 2273, 2276 (1991).

41. Id. (Citing Branzburg v. Hayes, 408 U.S. 665 (1972)).

42. Id. (Citing Zacchini v. Scripps-Howard Broadcasting Co., 433 U.S. 562 (1977)).

43. Id. (Citing Associated Press v. United States, 326 U.S. 1 (1945)).

44. Id. (Citing Associated Press v. NLRB, 301 U.S. 103 (1937)).

45. Id. (Citing Oklahoma Press Publishing Co. v. Walling, 327 U.S. 186 (1946)).

46. Id. (Citing Murdock v. Pennsylvania, 319 U.S. 105 (1943)).

47. Id.

48. Id. at 2277. Justice White, author of the majority opinion in Cohen, said Blackmun's claim was "not strictly accurate" because compensatory damages, awarded to compensate for one's injury, are not considered a form of punishment. Id. at 2276.

49. 485 U.S. 46 (1988) (when a state law is used to penalize the expression of opinion, the law is subject to First Amendment scrutiny).

50. 443 U.S. 97 (1979) (holding that a state may not punish the publication of lawfully obtained, truthful information "absent a need to further a state interest of the highest order").

51. Cohen v. Cowles Media Co., 18 Media L. Rep. (BNA) 2273, 2277-2279 (1991).

52. Id. at 2279-2280.

53. Cohen v. Cowles Media Co., 19 Media L. Rep. (BNA) 1858, 1861 (1992).

54. Id.

55. The U.S. Supreme Court noted that the promissory

estoppel theory was never tried to the jury, nor briefed or argued by the parties; it first arose during oral argument in the Minnesota Supreme Court when one of the justices asked a question about equitable estoppel.

56. Consideration is defined as: "The inducement to a contract. The cause, motive, price, or impelling influence which induces a contracting party to enter into a contract." Black's Law Dictionary Fifth Edition (St. Paul, Minn.: West 1983) at 161.

57. J. Murray, Murray on Contracts, Section 17 (1974).

58. Cohen v. Cowles Media Co., 17 Media L. Rep. (BNA) 2176, 2178-2179 (1990).

59. John D. Calamari and Joseph M. Perillo, The Law of Contracts, Section 6.3. (St. Paul, Minn.: West 1987).

60. E. Allan Farnsworth, Contracts, Section. 2.2 (Little, Brown & Co. 1982)

61. Restatement of Contracts Second, Section 71(2) (American Law Institute 1981).

62. Calamari and Perillo, supra note 40, Section 6.3.

63. Melvin Aron Eisenberg, "Donative Promises," 47 U. Chi. L. Rev. 1 (1979). See also Calamari and Perillo, supra note 40, Section 6.2 for instances in which estoppel has been applied to enforce promises within the family unit, promises to make a gift of land in the family context, gratuitous agencies and bailments, charitable subscriptions and marriage settlements.

64. Restatement of Contracts Second, supra note 42, Section 90.

65. Farnsworth, supra note 41, Section 2.19.

66. Cohen v. Cowles Media Co., 17 Media L. Rep. (BNA) 2176,

2180-2181. (1990).

67. Farnsworth, supra note 41, Sections 4.1 - 4.20.

68. Id. at Sections 5.1 - 5.6]. See also Susan E. Kauffman, "The Source Who Sued," a paper presented at the Association for Education in Journalism and Mass Communication, Washington, D.C., August 1989.

69. Comment, "Once More into the Breach: Promissory Estoppel and Traditional Damage Doctrine, 37 U. Chi. L. Rev. 559-560 (1970).

70. Calamari and Perillo, supra note 40.

71. Farnsworth, supra note 41, at 813.

72. 573 N.Y.S. 2d 828 (Sup. Ct. 1991).

73. Anderson v. Strong Memorial Hospital, 573 N.Y.S. 2d 828, 829-830 (Sup. Ct. 1991).

74. Id. at 831.

75. Id.

76. In a separate proceeding, Dr. Valenti and Strong Memorial Hospital already had been found liable for violating physician/patient confidentiality. Id. at 829.

77. Id. at 832.

78. Id. (citing "A Promise is a Promise," an editorial in The Democrat and Chronicle, June 27, 1991 at 8A.

79. 19 Media L. Rep. (BNA) 1862 (1992).

80. Morgan v. Celender, 19 Media L. Rep. (BNA) 1862, 1863 (1992).

81. Id. at 1864-1865.